

PROTECTING AMERICA'S CHILDREN BY STRENGTHENING
FAMILIES ACT

SEPTEMBER 17, 2024.—Committed to the Committee of the Whole House on the
State of the Union and ordered to be printed

Mr. SMITH of Missouri, from the Committee on Ways and Means,
submitted the following

R E P O R T

[To accompany H.R. 9076]

The Committee on Ways and Means, to whom was referred the bill (H.R. 9076) to reauthorize and modernize part B of title IV of the Social Security Act to strengthen child welfare services, expand the availability of prevention services to better meet the needs of vulnerable families, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

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The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; REFERENCES.

(a) **SHORT TITLE.**—This Act may be cited as the “Protecting America’s Children by Strengthening Families Act”.

(b) **REFERENCES.**—Except as otherwise expressly provided, wherever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to that section or other provision of the Social Security Act.

SEC. 2. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

- Sec. 1. Short title; references.
- Sec. 2. Table of contents.
- Sec. 3. Reauthorization of child welfare programs.
- Sec. 4. Enhancements to the court improvement program.
- Sec. 5. Expanding regional partnership grants to address parental substance use disorder as cause of child removal.
- Sec. 6. Modernization; reducing administrative burden.
- Sec. 7. Streamlining funding for Indian tribes.
- Sec. 8. Accelerating access to Family First prevention services.
- Sec. 9. Strengthening support for youth aging out of foster care.
- Sec. 10. Recognizing the importance of relative and kinship caregivers.
- Sec. 11. Avoiding neglect by addressing poverty.
- Sec. 12. Strengthening support for caseworkers.
- Sec. 13. Demonstration projects for improving relationships between incarcerated parents and children in foster care.
- Sec. 14. Guidance to States on improving data collection and reporting for youth in residential treatment programs.
- Sec. 15. Streamlining research, training, and technical assistance funding.
- Sec. 16. Report on post adoption and subsidized guardianship services.
- Sec. 17. Effective date.

SEC. 3. REAUTHORIZATION OF CHILD WELFARE PROGRAMS.

(a) **REAUTHORIZATION OF SUBPART 1; DISCRETIONARY FUNDING.**—Section 425 (42 U.S.C. 625) is amended by striking “2017 through 2023” and inserting “2025 through 2029”.

(b) **REAUTHORIZATION OF SUBPART 2; ENHANCED SUPPORT.**—Section 436(a) (42 U.S.C. 629f(a)) is amended by striking “each of fiscal years 2017 through 2023” and inserting “fiscal year 2025 and \$420,000,000 for each of fiscal years 2026 through 2029”.

(c) **REAUTHORIZATION OF SUBPART 2; DISCRETIONARY FUNDING.**—Section 437(a) (42 U.S.C. 629g(a)) is amended by striking “2017 through 2023” and inserting “2025 through 2029”.

(d) **FUNDING LIMITATION.**—Section 423(a)(2)(A) (42 U.S.C. 623(a)(2)(A)) is amended by inserting “, not to exceed \$10,000,000” before the semicolon.

SEC. 4. ENHANCEMENTS TO THE COURT IMPROVEMENT PROGRAM.

(a) **INCREASE IN RESERVATION OF FUNDS.**—Section 436(b)(2) (42 U.S.C. 629f(b)(2)) is amended by inserting “for fiscal year 2025 and \$40,000,000 for fiscal year 2026 and each succeeding fiscal year” before “for grants”.

(b) **EXTENSION OF STATE MATCH REQUIREMENT.**—Section 438(d) (42 U.S.C. 629h(d)) is amended by striking “2017 through 2023” and inserting “2025 through 2029”.

(c) **PROGRAM IMPROVEMENTS.**—Section 438(a) (42 U.S.C. 629h(a)) is amended—

(1) in paragraph (1), by adding at the end the following:

“(F) that determine the appropriateness and best practices for use of technology to conduct remote hearings, subject to participant consent, including to ensure maximum participation of individuals involved in proceedings and to enable courts to maintain operations in times of public health or other emergencies;”;

(2) in paragraph (2)(C), by striking “personnel,” and inserting “personnel and supporting optimal use of remote hearing technology; and”; and

(3) by adding at the end the following:

“(3) to ensure continuity of needed court services, prevent disruption of the services, and enable their recovery from threats such as public health crises, natural disasters or cyberattacks, including through—

“(A) support for technology that allows court proceedings to occur remotely subject to participant consent, including hearings and legal representation;

“(B) the development of guidance and protocols for responding to the occurrences and coordinating with other agencies; and

“(C) other activities carried out to ensure backup systems are in place.”.

(d) IMPLEMENTATION GUIDANCE ON SHARING BEST PRACTICES FOR TECHNOLOGICAL CHANGES NEEDED FOR REMOTE COURT PROCEEDINGS FOR FOSTER CARE OR ADOPTION.—Section 438 (42 U.S.C. 629h) is amended by adding at the end the following:

“(e) GUIDANCE.—

“(1) IN GENERAL.—Every 5 years, the Secretary shall issue implementation guidance for sharing information on best practices for—

“(A) technological changes needed for court proceedings for foster care, guardianship, or adoption to be conducted remotely in a way that maximizes engagement and protects the privacy of participants; and

“(B) the manner in which the proceedings should be conducted.

“(2) INITIAL ISSUANCE.—The Secretary shall issue initial guidance required by paragraph (1) with preliminary information on best practices not later than October 1, 2025.

“(3) ADDITIONAL CONSULTATION.—The Secretary shall consult with Indian tribes on the development of appropriate guidelines for State court proceedings involving Indian children to maximize engagement of Indian tribes and provide appropriate guidelines on conducting State court proceedings subject to the Indian Child Welfare Act of 1978 (25 U.S.C. 1901 et seq.).”.

SEC. 5. EXPANDING REGIONAL PARTNERSHIP GRANTS TO ADDRESS PARENTAL SUBSTANCE USE DISORDER AS CAUSE OF CHILD REMOVAL.

(a) INCREASE IN RESERVATION OF FUNDS.—Section 436(b)(5) (42 U.S.C. 629f(b)(5)) is amended by striking “each of fiscal years 2017 through 2023” and inserting “fiscal year 2025 and \$30,000,000 for fiscal year 2026 and each succeeding fiscal year”.

(b) REAUTHORIZATION.—Section 437(f) (42 U.S.C. 629g(f)) is amended—

(1) in paragraph (3)(A)—

(A) by striking “In addition to amounts authorized to be appropriated to carry out this section, the” and inserting “The”; and

(B) by striking “2017 through 2023” and inserting “2025 through 2029”; and

(2) in paragraph (10), by striking “for each of fiscal years 2017 through 2023”.

(c) AUTHORITY TO WAIVE PLANNING PHASE.—Section 437(f)(3)(B)(iii) (42 U.S.C. 629g(f)(3)(B)(iii)) is amended—

(1) by striking all that precedes “grant awarded” and inserting the following:

“(iii) SUFFICIENT PLANNING.—

“(I) IN GENERAL.—A”; and

(2) by striking “may not exceed \$250,000, and”; and

(3) by adding after and below the end the following:

“(II) EXCEPTION.—The Secretary, on a case-by-case basis, may waive the planning phase for a partnership that demonstrates that the partnership has engaged in sufficient planning before submitting an application for a grant under this subsection.”.

(d) EXPANDING AVAILABILITY OF EVIDENCE-BASED SERVICES.—

(1) IN GENERAL.—Section 437(f)(1) (42 U.S.C. 629g(f)(1)) is amended by inserting “, and expand the scope of the evidence-based services that may be approved by the clearinghouse established under section 476(d)” before the period.

(2) CONSIDERATIONS FOR AWARDED GRANTS.—Section 437(f)(7) (42 U.S.C. 629g(f)(7)) is amended—

(A) by striking “and” at the end of subparagraph (D);

(B) by striking the period at the end of subparagraph (E) and inserting “, and”; and

(C) by adding at the end the following:

“(F) have submitted information pursuant to paragraph (4)(F) that demonstrates the capability to participate in rigorous evaluation of program effectiveness.”.

(e) TECHNICAL ASSISTANCE ON USING REGIONAL PARTNERSHIP GRANT FUNDS IN COORDINATION WITH OTHER FEDERAL FUNDS TO BETTER SERVE FAMILIES AFFECTED BY A SUBSTANCE USE DISORDER.—Section 435(d) (42 U.S.C. 629e(d)) is amended—

(1) by striking “and” at the end of paragraph (4);

(2) by striking the period at the end of paragraph (5) and inserting “, and”; and

(3) by adding at the end the following:

“(6) use grants under section 437(f) in coordination with other Federal funds to better serve families in the child welfare system that are affected by a substance use disorder.”.

(f) PERFORMANCE INDICATORS.—Section 437(f)(8)(A) (42 U.S.C. 629g(f)(8)(A)) is amended in the 1st sentence—

(1) by striking “this subsection” the 1st place it appears and inserting “the Protecting America’s Children by Strengthening Families Act”;

(2) by inserting “child permanency, reunification, re-entry into care,” before “parental recovery”; and

(3) by inserting “, and access to services for families with substance use disorder, including those with children who are overrepresented in foster care, difficult to place, or have disproportionately low permanency rates” before the period.

(g) PERFORMANCE INDICATOR CONSULTATION REQUIRED.—Section 437(f)(8)(B) (42 U.S.C. 629g(f)(8)(B)) is amended by redesignating clause (iii) as clause (iv) and inserting after clause (ii) the following:

“(iii) The Administrator of the National Institute on Drug Abuse.”.

(h) REPORTS TO CONGRESS.—Section 437(f)(9)(B) (42 U.S.C. 629g(f)(9)(B)) is amended—

(1) by striking “and” at the end of clause (ii);

(2) by striking the period at the end of clause (iii) and inserting “; and”; and

(3) by adding at the end the following:

“(iv) whether any programs funded by the grants were submitted to the clearinghouse established under section 476(d) for review and the results of any such review.”.

(i) PRIORITY FOR STATEWIDE SERVICE GROWTH.—Section 437(f)(7) (42 U.S.C. 629g(f)(7)), as amended by subsection (d)(2) of this section, is amended—

(1) by striking “and” at the end of subparagraph (E);

(2) by striking the period at the end of subparagraph (F) and inserting “; and”; and

(3) by adding at the end the following:

“(G) are a State or public agency, or outline a plan to increase the availability of services funded under the grant statewide.”.

(j) ADDITION OF JUVENILE COURT AS REQUIRED PARTNER.—Section 437(f)(2)(A) (42 U.S.C. 629g(f)(2)(A)) is amended by adding at the end the following:

“(iii) The most appropriate administrative office of the juvenile court or State court overseeing court proceedings involving families who come to the attention of the court due to child abuse or neglect.”.

(k) ADDITIONAL OPTIONAL PARTNER.—Section 437(f)(2)(C) (42 U.S.C. 629g(f)(2)(C)) is amended by redesignating clause (ix) as clause (x) and inserting after clause (viii) the following:

“(ix) State or local agencies that administer Federal health care, housing, family support, or other related programs.”.

(l) CONFORMING AMENDMENTS.—

(1) Section 437(f)(2)(D) (42 U.S.C. 629g(f)(2)(D)) is amended—

(A) by adding “and” at the end of clause (i);

(B) by striking “; and” at the end of clause (ii) and inserting a period; and

(C) by striking clause (iii).

(2) Section 437(f)(2) (42 U.S.C. 629g(f)(2)) is amended by striking subparagraph (B) and redesignating subparagraphs (C) and (D) as subparagraphs (B) and (C), respectively

SEC. 6. MODERNIZATION; REDUCING ADMINISTRATIVE BURDEN.

(a) IN GENERAL.—Section 431 (42 U.S.C. 629a) is amended by adding at the end the following:

“(c) USE OF TECHNOLOGY.—

“(1) USE OF PORTAL.—The services referred to in subsection (a) may include the means of access to and use of an electronic or digital portal to facilitate the provision of community support to care for and meet specific needs of families and children.

“(2) LIMITATION.—Such a portal shall not retain or share personally identifiable information about a beneficiary without consent or for any purpose other than referral.”.

(b) ALLOWING SUPPORT FOR FAMILY RESOURCE CENTERS.—Section 431(a) (42 U.S.C. 629a(a)) is amended—

(1) in paragraph (2)(A), by inserting “, including services provided by family resource centers,” before “designed”; and

(2) by adding at the end the following:

“(10) FAMILY RESOURCE CENTER.—

“(A) IN GENERAL.—The term ‘family resource center’ means a community or school-based hub of support services for families that—

“(i) utilizes an approach that is multi-generational, strengths-based, and family-centered;

“(ii) reflects, and is responsive to, community needs and interests;

“(iii) provides support at no or low cost for participants; and

“(iv) builds communities of peer support for families, including kinship families, to develop social connections that reduce isolation and stress.

“(B) SPECIAL RULE.—For purposes of this subpart, an expenditure for a service provided by a family resource center may be treated as an expenditure for any 1 or more of family support services, family preservation services, family reunification services, or adoption promotion and support services as long as the expenditure is related to serving the children and families in the specified category and consistent with the overall purpose of the category.”.

(c) UPDATING STATE PLAN REQUIREMENT.—Section 422(b)(1) (42 U.S.C. 622(b)(1)) is amended to read as follows:

“(1) provide that a State agency will administer or supervise the administration of the plan under this subpart;”.

(d) ACCESS TO LEGAL REPRESENTATION.—Section 422(b)(4) (42 U.S.C. 622(b)(4)) is amended—

- (1) by striking “and” at the end of subparagraph (A);
- (2) by adding “and” at the end of subparagraph (B); and
- (3) by adding at the end the following:

“(C) the steps that the State will take to ensure that, with respect to any judicial proceeding involving a child and in which there is an allegation of child abuse or neglect, including a proceeding on dependency, adoption, guardianship, or termination of parental rights, information about available independent legal representation is provided to—

- “(i) the child, as appropriate; and
- “(ii) any individual who is a parent or guardian, or has legal custody, of the child;”.

(e) SUPPORTING MENTAL HEALTH AND WELL-BEING OF CHILDREN IN FOSTER CARE.—Section 422(b)(15)(A) (42 U.S.C. 622(b)(15)) is amended—

- (1) in the matter preceding clause (i)—
 - (A) by inserting “and, if applicable, the State agency responsible for mental health services,” before “and in consultation”; and
 - (B) by inserting “mental health providers,” before “other experts”;
- (2) in clause (ii), by inserting “a list of services provided to support the physical and” before “emotional”;
- (3) in clause (iv), by inserting “and mental health” before “services”;
- (4) in clause (v), by inserting “, informed consent of youth, and compliance with professional practice guidelines” before the semicolon; and
- (5) in clause (vi), by inserting “, licensed mental health providers,” before “or other”.

(f) REDUCTION OF ADMINISTRATIVE BURDEN.—

(1) IN GENERAL.—Subpart 3 of part B of title IV (42 U.S.C. 629m) is amended by redesignating section 440 as section 443 and inserting before such section the following:

“SEC. 441. REDUCTION OF ADMINISTRATIVE BURDEN.

“(a) IN GENERAL.—The Secretary shall reduce the burden of administering this part imposed on the recipients of funds under this part, by—

- “(1) reviewing and revising administrative data collection instruments and forms to eliminate duplication and streamline reporting requirements for the recipients while collecting all data required under this part;
- “(2) in coordination with activities required under the Paperwork Reduction Act, conducting an analysis of the total number of hours reported by the recipients to comply with paperwork requirements and exploring, in consultation with the recipients, how to reduce the number of hours required for the compliance by at least 15 percent;
- “(3) collecting input from the recipients with respect to fiscal and oversight requirements and making changes to ensure consistency with standards and guidelines for other Federal formula grant programs based on the input; and
- “(4) respecting the sovereignty of Indian tribes when complying with this subsection.

“(b) LIMITATION ON APPLICABILITY.—Subsection (a) of this section shall not apply to any reporting or data collection otherwise required by law that would affect the ability of the Secretary to monitor and ensure compliance with State plans approved under this part or ensure that funds are expended consistent with this part.

“SEC. 442. PUBLIC ACCESS TO STATE PLANS.

“The Secretary shall—

- “(1) create a standardized format for State plans required under sections 422 and 432 used to monitor compliance with those sections;

- “(2) produce comparisons and analyses of trends in State plans to inform future technical assistance and policy development;
- “(3) make the State plans available on a public website; and
- “(4) include on the website aggregated national summaries of State submissions as the Secretary deems appropriate.”

(2) IMPLEMENTATION.—Within 2 years after the date of the enactment of this Act, the Secretary of Health and Human Services shall—

(A) comply with section 441 of the Social Security Act, as added by the amendment made by paragraph (1); and

(B) notify each recipient of funds under part B of title IV of the Social Security Act of any change made by the Secretary pursuant to such section affecting the recipient.

(3) REPORT.—Within 3 years after the date of the enactment of this Act, the Secretary of Health and Human Services shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report describing the efforts of the Secretary to comply with section 441 of the Social Security Act, as added by the amendment made by paragraph (1), including the specific actions to comply with each paragraph of such section.

(g) PRIMARY PREVENTION PARTNERS.—Section 435(a)(2)(B) (42 U.S.C. 429e(a)(2)(B)) is amended by inserting “including community-based partners with expertise in preventing unnecessary child welfare system involvement” before the semicolon.

SEC. 7. STREAMLINING FUNDING FOR INDIAN TRIBES.

(a) SUBPART 1.—

(1) TRIBAL SET-ASIDE; DIRECT PAYMENTS TO TRIBES; EXEMPTIVE AUTHORITY.—

(A) IN GENERAL.—Section 428 (42 U.S.C. 628) is amended by striking subsections (a) and (b) and inserting the following:

“(a) RESERVATION OF FUNDS; DIRECT PAYMENTS.—Out of any amount appropriated pursuant to section 425 for a fiscal year, the Secretary shall reserve 3 percent for grants to Indian tribes and tribal organizations, which shall be paid directly to Indian tribes and tribal organizations with a plan approved under this subpart, in accordance with section 433(a).”

(B) CONFORMING AMENDMENT.—Section 423(a) (42 U.S.C. 623(a)) is amended by striking “the sum appropriated pursuant to section 425 for each fiscal year” and inserting “for each fiscal year, the sum appropriated pursuant to section 425 remaining after applying section 428(a)”.

(C) TECHNICAL AMENDMENT.—Section 428(c) (42 U.S.C. 628(c)) is amended by striking “450b” and inserting “5304”.

(2) IMPROVING COMPLIANCE WITH THE INDIAN CHILD WELFARE ACT.—

(A) STATE PLAN REQUIREMENT.—Section 422(b)(9) (42 U.S.C. 622(b)(9)) is amended by striking “Act,” and inserting “Act of 1978, including how the State will ensure timely notice to Indian tribes of State custody proceedings involving Indian children, foster care or adoptive placements of Indian children, and case recordkeeping as such matters relate to transfers of jurisdiction, termination of parental rights, and active efforts;”.

(B) TECHNICAL ASSISTANCE.—Subpart 1 of part B of title IV (42 U.S.C. 621 et seq.) is amended by adding at the end the following:

“SEC. 429B. EFFECTIVE IMPLEMENTATION OF THE INDIAN CHILD WELFARE ACT OF 1978.

“(a) IN GENERAL.—Not later than October 1, 2025, the Secretary, in consultation with Indian tribal organizations and States, shall develop a plan and provide technical assistance supporting effective implementation of the Indian Child Welfare Act of 1978, including specific measures identified in State plans as required by section 422(b)(9) of this Act. The technical assistance plan shall be based on data sufficient to assess State strengths and areas for improvement in implementing Federal standards established under the Indian Child Welfare Act of 1978, including, at a minimum, the following:

“(1) Timely identification of Indian children and extended family members.

“(2) Timely tribal notice of State child custody proceedings involving an Indian child.

“(3) Reports of cases in which a transfer of jurisdiction (as defined under the Indian Child Welfare Act of 1978) was granted or was not granted, and reasons specified for denial in cases where transfer was denied.

“(4) In cases in which a State court orders a foster care placement of an Indian child, whether requirements for active efforts to prevent the breakup of the Indian family, testimony of a qualified expert witness, and evidentiary standards were met.

“(5) Whether an Indian child was placed in a placement that is required to be preferred under the Indian Child Welfare Act of 1978, and if not, the reasons specified.

“(6) In cases in which a State court orders the termination of parental rights to an Indian child, whether requirements for active efforts to prevent the break-up of the Indian family, testimony of a qualified expert witness, and evidentiary standards were met.

“(b) INTERAGENCY COORDINATION.—On request of the Secretary, the Secretary of the Interior shall provide the Secretary with such guidance and assistance as may be necessary to facilitate informing States and public child welfare agencies on how to comply with the Indian Child Welfare Act of 1978, including specific measures identified in State plans as required by section 422(b)(9) of this Act.

“(c) BIENNIAL REPORTS TO CONGRESS.—The Secretary shall biennially submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a written report on how—

“(1) the States are complying with the Indian Child Welfare Act of 1978 and section 422(b)(9) of this Act, as informed by data collected under this section; and

“(2) the Secretary is assisting States and Indian tribes to improve implementation of Federal standards established under the Indian Child Welfare Act of 1978.”.

(3) REPORTING REQUIREMENTS; ADMINISTRATIVE COSTS.—

(A) IN GENERAL.—Section 428 (42 U.S.C. 628) is amended by redesignating subsection (c) as subsection (d) and inserting before such subsection the following:

“(b) AUTHORITY TO STREAMLINE REPORTING REQUIREMENTS.—The Secretary shall, in consultation with the affected Indian tribes, modify any reporting requirement imposed by or under this part on an Indian tribe, tribal organization, or tribal consortium if the total of the amounts allotted to the Indian tribe, tribal organization, or tribal consortium under this part for the fiscal year is not more than \$50,000, and in a manner that limits the administrative burden on any tribe to which not more than \$50,000 is allotted under this subpart for the fiscal year.

“(c) TRIBAL AUTHORITY TO SUBSTITUTE THE FEDERAL NEGOTIATED INDIRECT COST RATE FOR ADMINISTRATIVE COSTS CAP.—For purposes of sections 422(b)(14) and 424(e), an Indian tribal organization may elect to have the weighted average of the indirect cost rates in effect under part 220 of title 2, Code of Federal Regulations with respect to the administrative costs of the Indian tribal organization apply in lieu of the percentage specified in each such section.”.

(B) CONFORMING AMENDMENTS.—Section 431(a) (42 U.S.C. 629a(a)) is amended in each of paragraphs (5) and (6) by striking “428(c)” and inserting “428(d)”.

(b) SUBPART 2.—

(1) TRIBAL PLAN EXEMPTION.—Section 432(b)(2)(B) (42 U.S.C. 629b(b)(2)(B)) is amended—

(A) by striking “section 433(a)” the 1st place it appears and inserting “sections 433(a) and 437(c)(1) combined”; and

(B) by striking “section 433(a)” the 2nd place it appears and inserting “such sections”.

(2) APPLICATION OF TRIBAL SET-ASIDE BEFORE OTHER SET-ASIDES.—Section 436(b)(3) (42 U.S.C. 429f(b)(3)) is amended by striking “After applying paragraphs (4) and (5) (but before applying paragraphs (1) or (2)), the” and inserting “The”.

(3) INCREASE IN FUNDING FOR TRIBAL COURT IMPROVEMENT PROGRAM.—Section 438(c)(3) (42 U.S.C. 629h(c)(3)) is amended by inserting “for fiscal year 2025, and \$2,000,000 for each of fiscal years 2026 through 2029,” before “for grants”.

SEC. 8. ACCELERATING ACCESS TO FAMILY FIRST PREVENTION SERVICES.

(a) IN GENERAL.—Section 435 (42 U.S.C. 629e) is amended by adding at the end the following:

“(f) PREVENTION SERVICES EVALUATION PARTNERSHIPS.—

“(1) PURPOSE.—The purpose of this subsection is to authorize the Secretary to make competitive grants to support the timely evaluation of—

“(A) services and programs described in section 471(e); or

“(B) kinship navigator programs described in section 474(a)(7).

“(2) GRANTS.—In accordance with applications approved under this subsection, the Secretary may make grants, on a competitive basis, to eligible entities to carry out projects designed to evaluate a service or program provided by the eligible entity, or an entity in partnership with the eligible entity, with re-

spect to the requirements for a promising practice, supported practice, or well-supported practice described in section 471(e)(4)(C).

“(3) APPLICATIONS.—

“(A) IN GENERAL.—An eligible entity may apply to the Secretary for a grant under this subsection to carry out a project that meets the following requirements:

“(i) The project is designed in accordance with paragraph (2).

“(ii) The project is to be carried out by the applicant in partnership with—

“(I) a State agency that administers, or supervises the administration of, the State plan approved under part E, or an agency administering the plan under the supervision of the State agency; and

“(II) if the applicant is unable or unwilling to do so, at least 1 external evaluator to carry out the evaluation of the service or program provided by the applicant.

“(B) CONTENTS.—The application shall contain the following:

“(i) A description of the project, including—

“(I) a statement explaining why a grant is necessary to carry out the project; and

“(II) the amount of grant funds that would be disbursed to each entity described in subparagraph (A)(ii) in partnership with the applicant.

“(ii) A certification from each entity described in subparagraph (A)(ii) that provides assurances that the individual or entity is in partnership with the applicant and will fulfill the responsibilities of the entity specified in the description provided pursuant to clause (i) of this subparagraph.

“(iii) A certification from the applicant that provides assurances that the applicant intends to comply with subparagraph (A)(ii)(II), if applicable.

“(iv) At the option of the eligible entity, a certification from the applicant that the applicant requires an external evaluator secured by the Secretary pursuant to paragraph (5), if applicable.

“(4) PRIORITIES.—In approving applications under this subsection, the Secretary shall prioritize the following:

“(A) Addressing, with respect to the clearinghouse of practices described in section 476(d)(2), deficiencies or gaps identified by the Secretary in consultation with—

“(i) States, political subdivisions of a State, and tribal communities carrying out, or receiving the benefits of, a service or program; and

“(ii) child welfare experts, including individuals with lived experience.

“(B) Maximizing the number of evidence-based services or programs to be included in the clearinghouse of practices described in section 476(d)(2).

“(C) Timely completion of evaluations and the production of evidence.

“(D) Supporting services or programs that are based on, or are adaptations to new population settings of, a service or program with reliable evidence about the benefits and risks of the service or program.

“(5) AVAILABILITY OF EXTERNAL EVALUATORS.—

“(A) IN GENERAL.—Before accepting applications under this subsection, the Secretary shall make reasonable efforts to identify at least 1 entity to serve as an external evaluator for any eligible entity that includes a certification under paragraph (3)(B)(iv) with an application under this subsection.

“(B) NO EFFECT ON CONSIDERATION OF APPLICATION.—The Secretary may not consider whether an eligible entity is in partnership with an external evaluator described in paragraph (A) in approving an application under this subsection submitted by the eligible entity.

“(6) REPORTS.—

“(A) BY GRANT RECIPIENTS.—Within 1 year after receiving a grant under this subsection, and every year thereafter for the next 5 years, the grant recipient shall submit to the Secretary a written report on—

“(i) the use of grant funds;

“(ii) whether the program or service evaluated by the project meets a requirement specified in section 471(e)(4)(C), including information about—

“(I) how the program or service is being carried out in accordance with standards specified in the requirement;

“(II) any outcomes of the program or service; and

“(III) any outcome with respect to which the service or program compares favorably to a comparison practice; and

“(iii) whether the Secretary has included the program or service in an update to the clearinghouse of practices described in section 476(d)(2).

“(B) BY THE SECRETARY.—The Secretary shall submit to the Committee on Ways and Means of the House of Representatives and to the Committee on Finance of the Senate an annual written report on—

“(i) the grants awarded under this subsection;

“(ii) the programs funded by the grants;

“(iii) any technical assistance provided by the Secretary in carrying out this subsection, including with respect to the efforts to secure external evaluators pursuant to paragraph (5); and

“(iv) any efforts by the Secretary to support program evaluation and review pursuant to section 471(e) and inclusion of programs in the pre-approved list of services and programs described in section 471(e)(4)(D) or the clearinghouse of practices described in section 476(d)(2).

“(7) FUNDING.—

“(A) LIMITATIONS.—Of the amounts available to carry out this subsection, the Secretary may use not more than 5 percent to provide technical assistance.

“(B) CARRYOVER.—Amounts made available to carry out this subsection shall remain available until expended.

“(8) DEFINITIONS.—In this subsection:

“(A) ELIGIBLE ENTITY.—The term ‘eligible entity’ means any of the following providing a service or program or, in the sole determination of the Secretary, able to provide a service or program if awarded a grant under this subsection:

“(i) A State, a political subdivision of a State, or an agency or department of a State or political subdivision of a State.

“(ii) An entity described in subparagraph (A) or (B) of section 426(a)(1).

“(iii) An Indian tribe or tribal organization.

“(B) EXTERNAL EVALUATOR.—The term ‘external evaluator’ means an entity with the ability and willingness to evaluate a service or program pursuant to paragraph (2) that is not provided by the entity.

“(C) SERVICE OR PROGRAM.—The term ‘service or program’—

“(i) means a service or program described in section 471(e); and

“(ii) includes a kinship navigator program described in section 474(a)(7).”

(b) FUNDING.—Section 437(b) (42 U.S.C. 629g(b)) is amended by adding at the end the following:

“(5) PREVENTIVE SERVICES EVALUATION PARTNERSHIPS.—The Secretary shall reserve \$5,000,000 for grants under section 435(f) for each of fiscal years 2026 through 2029.”

SEC. 9. STRENGTHENING SUPPORT FOR YOUTH AGING OUT OF FOSTER CARE.

(a) CASEWORKER VISITS.—Section 422(b)(17) (42 U.S.C. 622(b)(17)) is amended by inserting “, and include a description of how the State may offer virtual caseworker visits to youth in care who have attained the age of 18 years and provided informed consent for virtual visits” before the semicolon.

(b) YOUTH AND FAMILY ENGAGEMENT IN CHILD WELFARE PROGRAM PLANNING.—Section 432(b)(1) (42 U.S.C. 629b(b)(1)) is amended to read as follows:

“(1) IN GENERAL.—The Secretary shall approve a plan that meets the requirements of subsection (a) only if—

“(A) the plan was developed jointly by the Secretary and the State, and the State, in developing the plan, consulted with—

“(i) appropriate public and nonprofit private agencies;

“(ii) community-based organizations involved in providing services for children and families in the areas of family preservation, family support, family reunification, foster care, kinship, and adoption promotion and support;

“(iii) parents with child welfare experience, foster parents, adoptive parents, and kinship caregivers; and

“(iv) children, youth, and young adults with experience in the child welfare system, including State boards and councils comprised of youth with lived experience who represent the diversity of children in the State to whom the plan would apply; and

“(B) the State has made publicly accessible on a website of the State agency a report that outlines how the State has implemented the suggestions of the children and youth referred to in subparagraph (A)(iv).”.

SEC. 10. RECOGNIZING THE IMPORTANCE OF RELATIVE AND KINSHIP CAREGIVERS.

(a) **IN GENERAL.**—Section 431(a) (42 U.S.C. 629a(a)), as amended by section 6(b)(2) of this Act, is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A)—

(i) by striking “children” and inserting “children, youth,”; and

(ii) by striking “adoptive and extended” and inserting “kinship and adoptive”;

(B) in subparagraph (D), by striking “parents and other caregivers (including foster parents)” and inserting “parents, kinship caregivers, and foster parents”;

(C) by striking “and” at the end of subparagraph (E);

(D) by striking the period at the end of subparagraph (F) and inserting “; and”; and

(E) by adding at the end the following:

“(G)(i) peer-to-peer mentoring and support programs with demonstrated experience fostering constructive relationships between children and families and mentors with relevant lived experience or interactions with the child welfare system; and

“(ii) for purposes of this subpart, an expenditure for a service described in clause (i) may be treated as an expenditure for any 1 or more of family support services, family preservation services, family reunification services, or adoption promotion and support services, as long as the expenditure is related to serving the children and families in the specified category and consistent with the overall purpose of the category.”;

(2) in paragraph (2)(B)—

(A) in clause (i), by striking “children” and inserting “children, youth,”; and

(B) in clause (ii), by striking “extended” and inserting “kinship”;

(3) in paragraph (7)(A), by inserting “with kinship caregivers or” before “in a foster family home”; and

(4) by adding at the end the following:

“(11) **YOUTH.**—The term ‘youth’ means an individual who has not attained 26 years of age.”.

(b) **KINSHIP NAVIGATORS.**—

(1) **IN GENERAL.**—Section 427 (42 U.S.C. 627) is amended—

(A) in the section heading, by striking “**FAMILY CONNECTION GRANTS**” and inserting “**KINSHIP NAVIGATORS**”;

(B) in subsection (a)—

(i) in the matter preceding paragraph (1), by striking “helping” and inserting “administering programs to help”;

(ii) by striking “of—” and all that follows through “a kinship” and inserting “of a kinship”;

(iii) in paragraph (1)(C)—

(I) by striking “and” at the end of clause (iii);

(II) by adding “and” at the end of clause (iv); and

(III) by adding at the end the following:

“(v) connections to individualized assistance, as needed.”;

(iv) by striking paragraphs (2) through (4);

(v) by redesignating subparagraphs (A) through (G) of paragraph (1) as paragraphs (1) through (7), respectively;

(vi) by redesignating clauses (i) through (iv) and clause (v) (as added by clause (iii)(III) of this subparagraph) as subparagraphs (A) through (E), respectively;

(vii) by moving each provision so redesignated 2 ems to the left; and

(viii) by striking “caregiving,” and inserting “caregiving.”;

(C) in subsection (b)—

(i) in paragraph (1), by striking “1 or more of”;

(ii) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively, and inserting after paragraph (2) the following:

“(3) a description of how the entity will directly fund, or provide data to the Secretary for, an evaluation which will publish and submit information to the clearinghouse described in section 476(d)(2) and which is designed to meet the requirements of section 471(e)(4)(C), or a description of how the funds will be

used to help the State transition to a program for which the State will seek reimbursement under section 474(a)(7);

(iii) in paragraph (4) (as so redesignated), by striking “and” at the end;

(iv) in paragraph (5) (as so redesignated), by striking the period and inserting “; and”; and

(v) by adding at the end the following:

“(6) if the entity is a State, local or tribal child welfare agency—

“(A) documentation of support from a relevant community-based organization with experience serving kinship families when applicable; or

“(B) a description of how the organization plans to coordinate its services and activities with those offered by the relevant community-based organizations.”;

(D) by striking subsection (d) and inserting the following:

“(d) FEDERAL SHARE.—An entity to which a grant is made under this section may use the grant to pay not more than 75 percent of the cost of the activities to be carried out by the entity pursuant to this section.”;

(E) in subsection (g)—

(i) by striking all that precedes “2 percent” and inserting the following:

“(g) RESERVATION OF FUNDS FOR TECHNICAL ASSISTANCE.—The Secretary may reserve”; and

(ii) by striking “subsection (h)” the 2nd place it appears and inserting “section 437(b)(6)”; and

(F) by striking subsection (h).

(2) RESERVATION OF DISCRETIONARY FUNDS.—Section 437(b) (42 U.S.C. 629g(b)), as amended by section 8(b) of this Act, is amended by adding at the end the following:

“(6) KINSHIP NAVIGATORS.—The Secretary shall reserve \$10,000,000 for grants under section 427 for each of fiscal years 2026 through 2029.”.

(3) CONFORMING AMENDMENT.—Section 474(a)(7) (42 U.S.C. 674(a)(7)) is amended by striking “427(a)(1)” and inserting “427(a)”.

SEC. 11. AVOIDING NEGLECT BY ADDRESSING POVERTY.

(a) FAMILY PRESERVATION SERVICES.—Section 431(a)(1) (42 U.S.C. 629a(a)(1)), as amended by section 10(a)(1) of this Act, is amended—

(1) in subparagraph (F), by striking “and” after the semicolon;

(2) in subparagraph (G), by striking the period and inserting “; and”; and

(3) by adding at the end the following:

“(H)(i) services providing nonrecurring short term benefits (including supports related to housing instability, utilities, transportation, and food assistance, among other basic needs) that address immediate needs related to a specific crisis, situation, or event affecting the ability of a child to remain in a home established for the child that is not intended to meet an ongoing need; and

“(ii) for purposes of this subpart, an expenditure for a service described in clause (i) may be treated as an expenditure for any 1 or more of family support services, family preservation services, family reunification services, or adoption promotion and support services as long as the expenditure is related to serving the children and families in the specified category and consistent with the overall purpose of the category.”.

(b) STATE PLAN REQUIREMENTS.—Section 432(a) (42 U.S.C. 629b(a)) is amended—

(1) in paragraph (9), by striking “and” after the semicolon;

(2) in paragraph (10), by striking the period and inserting “; and”; and

(3) by adding at the end the following:

“(11) provides a description of policies in place, including training for employees, to address child welfare reports and investigations of neglect concerning the living arrangements or subsistence needs of a child with the goal to prevent the separation of a child from a parent of the child solely due to poverty, to ensure access to services described in section 431(a)(1)(H).”.

SEC. 12. STRENGTHENING SUPPORT FOR CASEWORKERS.

(a) REAUTHORIZATION OF, AND INCREASE IN FUNDING FOR, CASEWORKER VISITS.—Section 436(b)(4)(A) (42 U.S.C. 629f(b)(4)(A)) is amended by striking “each of fiscal years 2017 through 2023” and inserting “fiscal year 2025 and \$26,000,000 for fiscal year 2026 and each succeeding fiscal year”.

(b) MINIMUM GRANT AMOUNT.—Section 433(e) (42 U.S.C. 629c(e)) is amended by striking paragraphs (1) and (2) and inserting the following:

“(1) BASE ALLOTMENT.—From the amount reserved pursuant to section 436(b)(4)(A) for any fiscal year, the Secretary shall first allot to each State

(other than an Indian tribe) that has provided to the Secretary such documentation as may be necessary to verify that the jurisdiction has complied with section 436(b)(4)(B)(ii) during the fiscal year, a base allotment of \$100,000, and shall then allot to each of those States an amount determined in paragraph (2) or (3) of this subsection, as applicable.

“(2) TERRITORIES.—From the amount reserved pursuant to section 436(b)(4)(A) for any fiscal year that remains after applying paragraph (1) of this subsection for the fiscal year, the Secretary shall allot to each jurisdiction specified in subsection (b) of this section to which a base allotment is made under such paragraph (1) an amount determined in the same manner as the allotment to each of such jurisdictions is determined under section 423 (without regard to the initial allotment of \$70,000 to each State).

“(3) OTHER STATES.—From the amount reserved pursuant to section 436(b)(4)(A) for any fiscal year that remains after applying paragraphs (1) and (2) of this subsection for the fiscal year, the Secretary shall allot to each State (other than an Indian tribe) not specified in subsection (b) of this section to which a base allotment was made under paragraph (1) of this subsection an amount equal to such remaining amount multiplied by the supplemental nutrition assistance program benefits percentage of the State (as defined in subsection (c)(2) of this section) for the fiscal year, except that in applying subsection (c)(2)(A) of this section, ‘subsection (e)(3)’ shall be substituted for ‘such paragraph (1)’.”.

(c) REQUIREMENT TO USE FUNDS TO IMPROVE QUALITY OF CASEWORKER VISITS WITH FOSTER CHILDREN.—Section 436(b)(4)(B)(i) (42 U.S.C. 629f(b)(4)(B)(i)) is amended to read as follows:

“(i) IN GENERAL.—A State to which an amount is paid from amounts reserved under subparagraph (A) shall use the amount to improve the quality of monthly caseworker visits with children who are in foster care under the responsibility of the State, with an emphasis on—

“(I) reducing caseload ratios and the administrative burden on caseworkers, to improve caseworker decision making on the safety, permanency, and well-being of foster children and on activities designed to increase retention, recruitment, and training of caseworkers;

“(II) implementing technology solutions to streamline caseworker duties and modernize systems, ensuring improved efficiency and effectiveness in child welfare services;

“(III) improving caseworker safety;

“(IV) mental health resources to support caseworker well-being, including peer-to-peer support programs; and

“(V) recruitment campaigns aimed at attracting qualified caseworker candidates.”.

(d) ELIMINATION OF COST-SHARE PENALTY TIED TO MONTHLY CASEWORKER VISIT STANDARD.—Section 424(f) (42 U.S.C. 624(f)) is amended—

(1) by striking “(1)(A)”; and

(2) by striking paragraphs (1)(B) and (2).

SEC. 13. DEMONSTRATION PROJECTS FOR IMPROVING RELATIONSHIPS BETWEEN INCARCERATED PARENTS AND CHILDREN IN FOSTER CARE.

(a) IN GENERAL.—Section 439 (42 U.S.C. 629i) is amended to read as follows:

“SEC. 439. STATE PARTNERSHIP PLANNING AND DEMONSTRATION GRANTS TO SUPPORT MEANINGFUL RELATIONSHIPS BETWEEN FOSTER CHILDREN AND THE INCARCERATED PARENTS OF THE CHILDREN.

“(a) AUTHORITY.—

“(1) IN GENERAL.—The Secretary may make demonstration grants to eligible State partnerships to develop, implement, and provide support for programs that enable and sustain meaningful relationships between covered foster children and the incarcerated parents of the children.

“(2) PAYMENT OF ANNUAL INSTALLMENTS.—The Secretary shall pay each demonstration grant in 5 annual installments.

“(3) 1-YEAR PLANNING GRANTS.—The Secretary may make a planning grant to a recipient of a demonstration grant, to be paid to the recipient 1 year before payment of the 1st annual installment of the demonstration grant and in an amount not greater than any installment of the demonstration grant, if—

“(A) the recipient includes a request for a planning grant in the application under subsection (c); and

“(B) the Secretary determines that a planning grant would assist the recipient and improve the effectiveness of the demonstration grant.

“(b) ELIGIBLE STATE PARTNERSHIP DEFINED.—

“(1) IN GENERAL.—In this section, the term ‘eligible State partnership’ means an agreement entered into by, at a minimum, the following:

“(A) The State child welfare agency responsible for the administration of the State plans under this part.

“(B) The State agency responsible for adult corrections.

“(2) ADDITIONAL PARTNERS.—For purposes of this section, an eligible State partnership may include any entity with experience in serving incarcerated parents and their children.

“(3) PARTNERSHIPS ENTERED INTO BY INDIAN TRIBES OR TRIBAL CONSORTIA.—Notwithstanding paragraph (1), if an Indian tribe or tribal consortium enters into a partnership pursuant to this section that does not consist solely of tribal child welfare agencies (or a consortium of the agencies), the partnership shall be considered an eligible State partnership for purposes of this section.

“(c) APPLICATION REQUIREMENTS.—An eligible State partnership seeking a demonstration grant under this section to carry out a program described in subsection (a)(1) shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require. The application shall include the following:

“(1) A summary of the program, including how the program will support a meaningful relationship between a covered foster child and an incarcerated parent of the child.

“(2) A description of the activities to be carried out by the program, which must include all of the activities described in subsection (d) that are in the best interest of the covered foster child.

“(3) A framework for identifying—

“(A) each covered foster child eligible for services under the program, including, to the extent practicable, coordination of data between relevant State child welfare agencies and court systems; and

“(B) the roles and responsibilities of the entities in the partnership.

“(4) Documentation that the applicant is an eligible State partnership.

“(5) Assurances that the applicant will participate fully in the evaluation described in subsection (f)(2) and shall maintain records for the program, including demographic information disaggregated by relevant characteristics with respect to covered foster children and incarcerated parents who participate in the program.

“(d) PROGRAM ACTIVITIES.—To the extent that the activities are in the best interest of the covered foster child, the activities referred to in subsection (c)(2) shall include the following:

“(1) REVISION OF POLICIES.—Through consultation with incarcerated parents and their families, grantees shall promote organizational policies of participating child welfare entities and collaborating correctional facilities to promote meaningful relationships through regular and developmentally appropriate communication and visitation between covered foster children and the incarcerated parents, including, when appropriate, the following:

“(A) For child welfare entities—

“(i) inclusion of parents in case planning and decision making for children;

“(ii) regular sharing of information and responses to requests for information between caseworkers and incarcerated parents with respect to the case information of a child, any changes to a case, permanency plans, requirements to maintain parental rights, and any efforts to terminate parental rights;

“(iii) appropriate opportunities for incarcerated parents to demonstrate their relationship with a covered foster child given their incarceration, including training and courses required for a service plan; and

“(iv) the enhanced visitation described in paragraph (2).

“(B) For correctional facilities, fostering visitation and communication that is developmentally appropriate in terms of—

“(i) the nature of communication and visitation, including—

“(I) the ability to physically touch parents;

“(II) engaging with parents in locations that are appropriate for the age and development of the child;

“(III) exchanging items that are appropriate to the age and development of the child, include expectations that are appropriate for the age and development of the child related to behavior, attire, and wait times; and

“(IV) allowing appropriate adults to bring children if legal guardians are not available to promote regular contact;

“(ii) reasonable inclusion of all children of the parent;

“(iii) communication and visitation at times when the children are available;

“(iv) security procedures to comfort children and be minimally invasive; and

“(v) promoting parent-child relationships regardless of the sentence imposed on the parent.

“(2) ENHANCED VISITATION.—

“(A) Grantees shall facilitate weekly communication and, for at least 9 days each year, in-person visitation between a covered foster child and any incarcerated parent of the child.

“(B) Electronic visitation (such as live video visits, phone calls, and recorded books) may be used but shall not be the sole method to promote a meaningful relationship for purposes of the grant.

“(C) Enhanced visitation programs shall—

“(i) integrate best practices for visitation programs with incarcerated parents and their children;

“(ii) adopt developmentally appropriate visitation policies and procedures such as those described in paragraph (1)(B);

“(iii) reduce or eliminate the cost of developmentally appropriate communication and visitation for the covered foster child, which may include the purchase of communication technology, covering transportation, insurance, and lodging costs, costs related to providing appropriate visitation spaces and activities, and other relevant costs;

“(iv) to the extent practicable, integrate appropriate parenting education to help prepare and process visits; and

“(v) avoid restricting visitation and communication as a punishment for the incarcerated parents.

“(3) TRAINING.—Grantees shall incorporate ongoing training for child welfare workers, correctional facility staff, and other program providers to understand the importance of promoting meaningful relationships between children and incarcerated parents.

“(4) CASE MANAGEMENT.—Grantees shall provide case management services for the incarcerated parents of a covered foster child to promote the relationship, access to services, and coordination with the caseworkers of the covered foster child to strengthen the relationship.

“(5) LEGAL ASSISTANCE.—Grantees shall facilitate access to necessary legal services and may use grant funds for services that are not reimbursable under other Federal programs.

“(e) FEDERAL SHARE.—The Federal share of the cost of any activity carried out using a grant made under this section shall be not greater than 75 percent.

“(f) TECHNICAL ASSISTANCE, EVALUATIONS, AND REPORTS.—

“(1) TECHNICAL ASSISTANCE.—The Secretary shall provide technical assistance with respect to grants under this section, including by—

“(A) assisting grantees in understanding best practices in promoting meaningful relationships between incarcerated parents and their children as well as consulting with appropriate stakeholders when developing their programs;

“(B) assisting grantees with establishing and analyzing implementation and performance indicators; and

“(C) conducting an annual technical assistance and training meeting and an annual grantee meeting so that grantees can learn from the experiences of other grantees.

“(2) EVALUATIONS.—The Secretary shall conduct an evaluation of program outcomes, including with respect to parent and child well-being, parent-child interactions, parental involvement, awareness of child development and parenting practices, placement stability, and termination of parental rights with respect to covered foster children and incarcerated parents, to measure program effectiveness, as determined by the Secretary, and identify opportunities for improved program practices and implementation.

“(3) REPORTS TO THE CONGRESS.—

“(A) INITIAL REPORT.—Not later than 3 years after the date of the enactment of this section, the Secretary shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report that includes—

“(i) the number of applications for grants under this section;

“(ii) the number of grants awarded, and the amounts for each grant;

and

“(iii) information on the grants, including—

“(I) interim results of the evaluation described in paragraph (2);

“(II) disaggregated data on covered foster children and incarcerated parents;

“(III) information on the composition of eligible State partnerships;

“(IV) best practices for facilitating meaningful relationships between covered foster children and incarcerated parents; and

“(V) barriers to implementation or expansion of programs funded under this section.

“(B) FINAL REPORT.—Not later than 6 years after the date of the enactment of this section, the Secretary shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report that includes—

“(i) the final results of the evaluation described in paragraph (2); and

“(ii) recommendations for refinements to grant requirements to improve program outcomes.

“(g) AUTHORITY OF SECRETARY WITH RESPECT TO INDIAN TRIBES AND TRIBAL ORGANIZATIONS.—

“(1) WAIVER OR MODIFICATION OF REQUIREMENTS.—In making a grant to an Indian tribe or tribal organization under this section, the Secretary may waive the matching requirement of subsection (e) or modify an application requirement imposed by or under subsection (c) if the Secretary determines that the waiver or modification is appropriate to the needs, culture, and circumstances of the Indian tribe or tribal organization.

“(2) EVALUATION.—The Secretary shall use tribally relevant data in carrying out the evaluation under subsection (f)(2) with respect to an Indian tribe or tribal organization.

“(h) LIMITATIONS ON AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary not more than \$35,000,000 for each of fiscal years 2026 through 2029 to carry out this section.

“(i) DEFINITION OF COVERED FOSTER CHILD.—In this section, the term ‘covered foster child’ means a child that—

“(1) is in foster care; and

“(2) has at least 1 parent incarcerated in a Federal, State, or local correctional facility.”

(b) CONFORMING AMENDMENTS.—

(1) Section 431(a)(2)(B)(vii) (42 U.S.C. 629a(a)(2)(B)(vii)) is amended by striking “(as defined in section 439(b)(2))”.

(2) Section 431(a) (42 U.S.C. 629a(a)), as amended by sections 6(b)(2) and 10(a)(4) of this Act, is amended by adding at the end the following:

“(12) MENTORING.—The term ‘mentoring’ means a structured, managed program in which children are appropriately matched with screened and trained adult volunteers for one on-one relationships, involving meetings and activities on a regular basis, intended to meet, in part, the child’s need for involvement with a caring and supportive adult who provides a positive role model.”.

SEC. 14. GUIDANCE TO STATES ON IMPROVING DATA COLLECTION AND REPORTING FOR YOUTH IN RESIDENTIAL TREATMENT PROGRAMS.

Within 2 years after the date of the enactment of this Act, the Secretary of Health and Human Services, in consultation with the Department of Education, the Administration for Children and Families, the Centers for Medicare and Medicaid Services, the Administration for Community Living, the Department of Justice, and other relevant policy experts, as determined by the Secretary, shall issue and disseminate, or update and revise, as applicable, guidance to State agencies in administering State plans approved under parts B and E of title IV of the Social Security Act on the following:

(1) Best practices for Federal and State agencies to collect data and share information related to the well-being of youth residing in residential treatment facilities, including those facilities operating in multiple States or serving out-of-state youth.

(2) Best practices on improving State collection and sharing of data related to incidences of maltreatment of youth residing in residential treatment facilities, including with respect to meeting the requirement of section 471(a)(9)(A) of such Act for such youth in foster care.

(3) Best practices on improving oversight of youth residential programs receiving Federal funding, and research-based strategies for risk assessment related to the health, safety, and well-being of youth in the facilities.

SEC. 15. STREAMLINING RESEARCH, TRAINING, AND TECHNICAL ASSISTANCE FUNDING.

(a) REPURPOSING DISCRETIONARY RESEARCH SET-ASIDE.—Section 435(c) (42 U.S.C. 629e(c)) is amended to read as follows:

“(c) EVALUATION, RESEARCH, AND TECHNICAL ASSISTANCE WITH RESPECT TO TARGETED PROGRAM RESOURCES.—Of the amount reserved under section 437(b)(1) for a fiscal year, the Secretary shall use not less than—

“(1) \$1,000,000 for technical assistance to grantees under section 437(f) and to support design of local site evaluations with the goal of publishing and submitting evaluation findings to the clearinghouse established under section 476(d), or to award grants to allow current or former grantees under section 437(f) to analyze, publish, and submit to the clearinghouse data collected during past grants; and

“(2) \$1,000,000 for technical assistance required under section 429B of this Act to support effective implementation of the Indian Child Welfare Act of 1978 and to support development of associated State plan measures described pursuant to section 422(b)(9) of this Act.”.

(b) ELIMINATION OF RESEARCH SET-ASIDE FROM MANDATORY FUNDS.—

(1) IN GENERAL.—Section 436(b) (42 U.S.C. 629f(b)), as amended by the preceding provisions of this Act, is amended by striking paragraph (1) and redesignating paragraphs (2) through (5) as paragraphs (1) through (4), respectively.

(2) CONFORMING AMENDMENTS.—

(A) Section 433(a) (42 U.S.C. 629c(a)) is amended by striking “436(b)(3)” and inserting “436(b)(2)”.

(B) Section 433(e) (42 U.S.C. 629c(e)), as amended by section 12(b) of this Act, is amended by striking “436(b)(4)(A)” and inserting “436(b)(3)(A)” each place it appears.

(C) Section 434(a)(2)(A) (42 U.S.C. 629d(a)(2)(A)) is amended by striking “436(b)(4)(B)” and inserting “436(b)(3)(B)”.

(D) Section 437(b)(1) (42 U.S.C. 629g(b)(1)) is amended by striking “436(b)(1)” and inserting “435”.

(E) Section 437(f)(3) (42 U.S.C. 629g(f)(3)) is amended by striking “436(b)(5)” and inserting “436(b)(4)”.

(F) Section 438(c) (42 U.S.C. 629g(c)) is amended in each of paragraphs (1) through (3) is amended by striking “436(b)(2)” and inserting “436(b)(1)”.

SEC. 16. REPORT ON POST ADOPTION AND SUBSIDIZED GUARDIANSHIP SERVICES.

(a) IN GENERAL.—Within 2 years after the date of the enactment of this Act, the Secretary of Health and Human Services shall prepare and submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report on children who enter into foster care under the supervision of a State administering a plan approved under part B or E of title IV of the Social Security Act after finalization of an adoption or legal guardianship.

(b) INFORMATION.—The Secretary shall include in the report information, to the extent available through the Adoption and Foster Care Analysis and Reporting System and other data sources, regarding the incidence of adoption disruption and dissolution affecting children described in subsection (a) and factors associated with such circumstances, including—

(1) whether affected individuals received pre- or post-legal adoption services; and

(2) other relevant information, such as the age of the child involved.

(c) POST-ADOPTION SERVICES AND GUARDIANSHIP.—The Secretary shall include in the report—

(1) a summary of post-adoption services and guardianship in each State that are available to families that adopted children from foster care and the extent to which the services are evidence-based or evidence-informed.

(2) a summary of funding and funding sources for the services in each State, including set-asides under the Promoting Safe and Stable Families program.

SEC. 17. EFFECTIVE DATE.

(a) IN GENERAL.—The amendments made by this Act shall take effect on October 1, 2025, and shall apply to payments under part B of title IV of the Social Security Act for calendar quarters beginning on or after such date.

(b) DELAY PERMITTED IF STATE LEGISLATION REQUIRED.—If the Secretary of Health and Human Services determines that State legislation (other than legislation appropriating funds) is required in order for a State plan developed pursuant to part B of title IV of the Social Security Act to meet the additional requirements imposed by the amendments made by this Act, the plan shall not be regarded as failing to meet any of the additional requirements before the 1st day of the 1st calendar quarter beginning after the first regular session of the State legislature that begins after the date of the enactment of this Act. For purposes of the preceding sentence, if the State has a 2-year legislative session, each year of the session is deemed to be a separate regular session of the State legislature.

(c) APPLICATION TO PROGRAMS OPERATED BY INDIAN TRIBAL ORGANIZATIONS.—In the case of an Indian tribe, tribal organization, or tribal consortium that the Secretary of Health and Human Services determines requires time to take action necessary to comply with the additional requirements imposed by the amendments made by this Act (whether the tribe, organization, or tribal consortium has a plan under section 479B of the Social Security Act or a cooperative agreement or contract entered into with a State), the Secretary shall provide the tribe, organization, or tribal consortium with such additional time as the Secretary determines is necessary for the tribe, organization, or tribal consortium to take the action to comply with the additional requirements before being regarded as failing to comply with the requirements.

I. SUMMARY AND BACKGROUND

A. PURPOSE AND SUMMARY

H.R. 9076, as amended, the “Protecting America’s Children by Strengthening Families Act,” as ordered and reported by the Committee on Ways and Means on July 24, 2024, modifies and reauthorizes funding for Title IV–B (“Title IV–B”) of the Social Security Act. Title IV–B provides flexible funding to states, tribes, and territories for a range of programs and services to prevent child abuse and neglect, support community-based prevention initiatives to keep families together, and promote family reunification and permanency for children in foster care. The bill reauthorizes Title IV–B for five years, covering fiscal years (FY) 2025 through FY 2029, and makes a number of reforms to modernize the program, streamline funding for tribes, and strengthen the designated set-asides established within Title IV–B, including the Court Improvement Program, Regional Partnership Grants, Monthly Caseworker Visits, and Kinship Navigator program (first authorized as part of Family Connection Grants).

The bill also makes several changes to state plan requirements, clarifies and provides additional flexibility regarding allowable uses of funds and creates a new demonstration grant to strengthen relationships between foster children and incarcerated parents. This bipartisan bill was introduced by Rep. Darin LaHood (R–IL) and Rep. Danny K. Davis (D–IL) and incorporates policies from sixteen Member bills including:

- H.R. 476: Helping Hands for Families Act introduced by Reps. Carol Miller (R–WV) and Judy Chu (D–CA);
- H.R. 8460: Court Improvement Program Enhancement Act introduced by Reps. Blake Moore (R–UT), Carol Miller (R–WV), Judy Chu (D–CA), Don Davis (D–NC);
- H.R. 8621: Strengthening Tribal Families Act of 2024 introduced by Reps. Don Bacon (R–NE), Judy Chu (D–CA), Dan Kildee (D–MI), Tom Cole (R–OK) and Sharice Davids (D–KS); and
- H.R. 8643: Foster Youth Mental Health Act introduced by Rep. Michelle Steel (R–CA);
- H.R. 8743: Empowering Kinship Caregivers and Youth Through Title IV–B Act introduced by Reps. Lloyd Smucker (R–PA) and Don Davis (D–NC);
- H.R. 8744: Reducing Administrative Burden for Child Welfare Agencies Act introduced by Rep. Lloyd Smucker (R–PA);
- H.R. 8745: Child Welfare Workforce Development Act introduced by Rep. Lloyd Smucker (R–PA);

- H.R. 8793: Foster Care Adoption Oversight and Support Act introduced by Reps. Brad Wenstrup (R-OH) and Lloyd Smucker (R-PA);
- H.R. 8798: Promoting Community-Based Prevention Services Act introduced by Reps. Mike Carey (R-OH) and John Larson (D-CT);
- H.R. 8799: Promoting Active Relationships to Enable Nurturing Ties (PARENT) Act of 2024 introduced by Reps. Danny K. Davis (D-IL) and Darin LaHood (R-IL);
- H.R. 8810: Ensuring Legal Representation for Child Welfare Act introduced by Reps. Claudia Tenney (R-NY) and Mary Gay Scanlon (D-PA);
- H.R. 8813: Preventing Child Welfare Entry Caused by Poverty Act introduced by Chairman Jason Smith (R-MO) and Rep. Gwen Moore (D-WI);
- H.R. 8814: Strengthening Evidence-based Prevention Services Act of 2024 introduced by Reps. Randy Feenstra (R-IA) and Dan Kildee (D-MI);
- H.R. 8815: Youth and Family Engagement in Child Welfare Act introduced by Reps. Adrian Smith (R-NE) and Gwen Moore (D-WI);
- H.R. 8817: Promoting Accountability, Reporting, Information Sharing and Health Act introduced by Reps. Greg Steube (R-FL) and Jimmy Panetta (D-CA);
- H.R. 8921 Tribal Child Welfare Support Act introduced by Reps. Kevin Hern (R-OK) and Judy Chu (D-CA).

B. BACKGROUND AND NEED FOR LEGISLATION

Title IV-B is a key child welfare program that provides federal resources for family preservation and to promote the safety, permanence, and well-being of children in foster care. The program also provides funding for the Court Improvement Program to support child welfare legal proceedings, and Regional Partnership Grants to address parental substance use disorder as cause of child removal in order to help keep families united. Title IV-B's last formal authorization expired in FY 2021 and the program has remained largely unchanged since 2008. Reauthorization is needed to ensure continuity of funding and to update the program to strengthen accountability and ensure federal dollars are meeting the current needs of children and families. With nearly 400,000 children in foster care, more needs to be done to ensure that federal dollars are intentionally focused on meeting the complex service needs of vulnerable children and families in or at risk of entering the child welfare system.

C. LEGISLATIVE HISTORY

BACKGROUND

H.R. 9076 was introduced on July 22, 2024, and was referred to the Committee on Ways and Means.

COMMITTEE HEARINGS

The Committee has held four child welfare hearings in the 118th Congress to inform the policy changes in H.R. 9076.

On September 28, 2023, the Committee on Ways and Means Work and Welfare Subcommittee held a hearing titled, “Modernizing Child Welfare to Protect Vulnerable Children,” which focused on ways to modernize the Title IV–B program and challenges facing the child welfare system, including lack of foster homes, case worker shortages, court backlogs, and lack of support for family members caring for children who might otherwise be in foster care.

On January 17, 2024, the Committee on Ways and Means Work and Welfare Subcommittee held a hearing titled, “Pathways to Independence: Supporting Youth Aging Out of Foster Care,” which addressed opportunities to better support foster youth, so they have the tools they need to succeed in adulthood.

On May 10, 2024, the Committee on Ways and Means held a field hearing in Arizona titled, “Empowering Native American and Rural Communities,” which addressed disparities for tribal child welfare providers and the need to monitor state actions that affect children protected by the Indian Child Welfare Act.

On June 26, 2024, the Committee on Ways and Means held a hearing titled, “Strengthening Child Welfare and Protecting America’s Children,” which highlighted the need to reauthorize the Title IV–B program, protect vulnerable youth, and modernize the program.

COMMITTEE ACTION

The Committee on Ways and Means marked up H.R. 9076, the “Protecting America’s Children by Strengthening Families Act,” on July 24, 2024, and ordered the bill, as amended, favorably reported (with a quorum being present).

D. DESIGNATED HEARING

Pursuant to clause 3(c)(6) of rule XIII, the following hearing was used to develop and consider this legislation:

- (1) The Committee on Ways and Means Full Committee hearing on “Strengthening Child Welfare and Protecting America’s Children” held on June 26, 2024.

II. EXPLANATION OF THE BILL

Section. 1. Short title; references

REASONS FOR CHANGE

The Committee believes the title accurately reflects the content of the bill.

EXPLANATION OF PROVISIONS

This section provides the title for the bill “Protecting America’s Children by Strengthening Families Act”.

Section 2. Table of contents

REASONS FOR CHANGE

The Committee believes this accurately reflects the content of the bill.

EXPLANATION OF PROVISIONS

This section provides a table of contents.

Section 3. Reauthorization of child welfare programs

REASONS FOR CHANGE

The Committee is responsible for ensuring the Title IV–B program is authorized and that federal funding is achieving its purpose and responsive to the needs of families and children involved in the child welfare system as well as community-based partners working to prevent child abuse and neglect.

EXPLANATION OF PROVISIONS

This section extends the authorization for the Stephanie Tubbs Jones Child Welfare Services (CWS) program (Title IV–B, Subpart 1 of the Social Security Act (SSA)) from fiscal year FY 2025–FY 2029 at the current level. Extends the authorization for the MaryLee Allen Promoting Safe and Stable Families (PSSF) program (Title IV–B, Subpart 2 of the SSA) at the current level of discretionary funding from FY 2025–FY 2029 and at \$345 million for FY 2025 and \$420 million for each of FY 2026–FY 2029.

Adds a cap of \$10 million to the reservation of funds for Grants to States for Enhancing Collaboration between State Child Welfare and Juvenile Justice Systems. Current law requires that in any year when CWS funds receive an appropriation that exceeds \$270 million, the Department of Health and Human Services (HHS) must reserve a portion of the “excess” funds to make competitive grants for this purpose but does not currently stipulate any limit on the amount funds HHS may reserve.

Section 4. Enhancements to the court improvement program

REASONS FOR CHANGE

The Court Improvement Program (CIP) is essential to ensuring that courts can best serve children and families in the child welfare system. Courts’ ability to conduct and expedite child welfare and permanency hearings significantly impacts families’ involvement with the system and the time children spend in care. This bill increases funding to promote greater innovation and codifies modernization policies to provide courts with greater flexibility in conducting remote hearings when appropriate and in the best interests of the child and family.

EXPLANATION OF PROVISIONS

Increases the set-aside funding for CIP from \$30 million to \$40 million beginning with FY 2026. Extends the state court match requirement of 25% from FY 2025–FY 2029. CIP is a mandatory formula grant available to the highest court of appeal in every state, the District of Columbia, Puerto Rico and the U.S. Virgin Islands. The purpose of the CIP is to: (1) promote the continuous quality improvement of court processes and legal representation in child welfare proceedings through ongoing data analysis, assessment, interventions and training; and (2) enhance and expand collabora-

tion between the judicial branch of state government, the title IV-B agency and tribes to improve child welfare outcomes.

Modernizes and improves the CIP by allowing funds to be used for technology to conduct remote hearings and ensure the continuity of court services during public health crises, natural disasters, or cyberattacks, with informed participant consent. Requires HHS to issue implementation guidance to state courts and tribes by October 1, 2025, and every five years thereafter, on best practices related to the use of remote technology, and to consult with Indian tribes on state court proceedings involving Indian children to support compliance with the Indian Child Welfare Act (ICWA) of 1978.

Section 5. Expanding Regional Partnership Grants (RPGs) to address parental substance abuse disorder as cause of child removal

REASONS FOR CHANGE

In FY 2022, 33% of children were removed from their homes and entered the child welfare system due to parental substance abuse.¹ This section seeks to increase coordinated support for addressing parental substance use disorders (SUD) directly, by investing in cost and outcome-effective interventions through RPGs, and indirectly, by growing the number of evidence-based interventions related to SUD which are available for federal matching funds. RPG projects support interagency collaborations and integration of programs, services, and activities designed to increase the well-being, improve the permanency, and enhance the safety of children who are in, or at risk of, out-of-home placements as the result of a parent or caregiver's substance use disorder. The partnerships implement a range of activities and interventions, including peer recovery coaching, family-centered and prevention-focused services, parenting and family strengthening programs, specialized services to fathers, and pregnant and postpartum women, medication assisted treatment, in-home parenting and child safety support for families, and related evidence-based practices.

Since RPG began in 2007, 127 projects across 40 states have been funded and grantees have served more than 37,000 children; 27,000 adults; and 22,000 families. A cross-site evaluation found that, upon exiting the program, parental opioid use decreased from 16% to 4%, and 86% of participants sustained program strategies.² Increased funding and modernization of RPG's is needed to serve families, better support inclusion of programs in the Family First Prevention Services Clearinghouse, and align grant requirements with best practices identified in prior evaluations.

EXPLANATION OF PROVISIONS

Requires HHS to make grants under the RPG program in each of FY 2025–FY 2029 and increases the funding set-aside from \$20 million to \$30 million beginning in FY 2026. Extends the five per-

¹ Children's Bureau. (2024, March 13). AFCARS Report #30. U.S. Department of Health and Human Services.

² U.S. Department of Health & Human Services. (2018). Emerging findings from the 2012–2017 National Cross-Site Evaluation of the Regional Partnership Grant (RPG) Program.

cent limitation on use of funds for administrative purposes (FY 2025–FY 2029).

Modernizes and improves the RPG program by: requiring HHS to consider whether RPG’s applying for funds demonstrate capacity to conduct rigorous evaluation of program effectiveness and whether partnerships outline a plan to increase the availability of services statewide; requiring HHS to report whether RPG programs are submitted for rating to the Family First Prevention Services Clearinghouse; adding child permanency and family reunification as performance indicators; requiring consultation with relevant HHS agencies, including the National Institute on Drug Abuse on development of core indicators; requiring juvenile or state family courts to be a part of partnerships; and adding a performance indicator related to families with children overrepresented in foster care, difficult to place, or with disproportionately low permanency rates.

Permits HHS to waive, on a case-by-case basis, the planning phase requirement if a grantee demonstrates they have completed sufficient planning before submitting their application and removes the \$250,000 cap on planning phase grants.

Section 6. Modernization; reducing administrative burden

REASONS FOR CHANGE

This section includes several updates to modernize the Title IV–B program, clarify allowable uses of funds, and improve coordination and alignment with the 2018 Family First Prevention Services Act (P.L. 115–123), which provided federal matching funds for evidence-based prevention services to families at-risk of involvement in the child welfare system. These updates aim to better address the needs of vulnerable children and families and to prevent or limit child welfare involvement whenever possible.

EXPLANATION OF PROVISIONS

Modernizes and improves the Title IV–B program by:

- allowing funding to be used for an electronic or digital portal that facilitates access to community support that meet specific needs of children and families. Provides a limitation that portals shall not maintain or share personal information for any purpose other than referrals.
- amending the definition of family support services to include family resource centers that act as community or school-based hubs and support families using a multigenerational, strengths-based and family-centered approach. Provides that expenditures for family resource centers may be considered as an expenditure in any one or more of the four categorical services areas listed in Subpart 2 as long as the expenditure is related to serving children and families in the specified category and consistent with the overall purpose of the category. Services meeting this definition do not need to be provided exclusively by a program with the name “family resource center” and may apply to community-based family strengthening services such as state children’s trust funds and nonprofits that assist families in building protective factors linked to the prevention of child abuse and neglect.
- updating state plan requirements to:

- include a description of steps the state will take to ensure children, parents, guardians, or other custodians have access to information about available independent legal representation, to help ensure that all parties have representation.
- include mental health service providers and professionals when developing plans for coordination of health care services for all children in foster care including infants, toddlers, young children, and teens and requiring informed consent of youth in protocols for use of psychotropic medication.
- eliminating the requirement that the state agency administering child welfare services be the same state agency that administers the Social Services Block Grant.

Reduces administrative burden on recipients of Title IV–B Subpart 1 and 2 funding by requiring HHS, in consultation with states, tribes and tribal organizations, and territories, to review and revise administrative requirements related to paperwork and data collection forms to reduce hours spent on compliance by at least 15 percent. As part of the tribal review, the Committee expects HHS to consider and fully administer tribal IV–B funding as an eligible integrated service, as may be applicable per Section 477 of *Indian Employment, Training, and Related Services Demonstration Act of 1992* (P.L. 102–477), as amended by the *Indian Employment, Training and Related Services Consolidation Act of 2017* (P.L. 115–93).

Requires HHS to implement changes within two years and submit a Report to Congress on how the agency complied with the requirements within three years of enactment. Provides a limitation that the section shall not affect state plan requirements used for oversight and to monitor proper expenditure of funds.

Improves transparency by requiring HHS to create a standardized format for state plans, including aggregated information with national summaries of state submissions and comparisons of trends, and make the plans available on a public website.

Adds primary prevention partners, including community-based organizations with experience in preventing unnecessary child welfare system involvement, to the parties HHS must consult with when evaluating the effectiveness of programs under Title IV B.

Section 7. Streamlining funding for Indian tribes

REASONS FOR CHANGE

Child welfare funding for tribes is outdated and fragmented, leading to a limited number of tribes having access to Title IV–B. This bill aims to modernize funding for tribes under Subpart 1, originally established in 1935, and also under Subpart 2. It provides greater administrative flexibility, allowing tribes with smaller populations and allocations to make meaningful investments in Indian children and families to prevent their entry into the child welfare system.

The Ways and Means Full Committee Field Hearing on May 10, 2024, titled “Empowering Native American and Rural Communities” highlighted the need to streamline Title IV–B funding for tribes and monitor state policies and procedures to protect child

and tribal rights as described in the Indian Child Welfare Act of 1978 (ICWA). The Committee heard directly from representatives of tribal communities about the importance and impact of making these changes.

EXPLANATION OF PROVISIONS

Streamlines and increases funding for Indian tribes and tribal organizations by providing a required 3% set-aside under Subpart 1 (to match the set-aside in Subpart 2) and requires HHS to make payments directly to Indian tribes which operate child welfare programs. Current law gives HHS discretion to determine the amount of Subpart 1 funding that goes to tribes and provides funding through deductions from the state's allocation. Currently, that amount is approximately 2.7% of Subpart 1 funds.

Updates existing plan requirement for states to describe their policies and procedures that meet ICWA requirements by expanding to include how they will ensure Indian tribes and tribal organizations receive pertinent information for custody proceedings involving Indian children, including timely notice and transfers of jurisdiction.

Requires HHS to develop a plan not later than October 1, 2025, in consultation with tribal organizations and states, to provide technical assistance to support effective implementation of ICWA. Requires the plan to address areas for state improvement including timely identification of Indian children and extended family members, timely notice of state custody proceedings involving Indian children, reports of cases in which a transfer of jurisdiction was not granted and reasons for denial, and efforts to prevent the breakup of Indian families. Requires Department of Interior to provide guidance to HHS and assistance as needed to help state and public child welfare agencies comply with ICWA. Requires HHS to submit a biennial Report to Congress on state compliance with ICWA and how the HHS Secretary is assisting states and Indian tribes in improving the implementation of standards in order to support Congressional oversight.

The language under Section 429B of the bill regarding a biennial report to Congress on state implementation of the Indian Child Welfare Act of 1978 reflects the Committee's understanding of 42 U.S.C. 422(b)(9) as requiring a state, in consultation with tribal organizations in the state, to provide a description of measures taken to comply with ICWA as part of the state's plan and not a specific measure of state ICWA compliance. The Committee also recognizes the data collected under Section 429B for the purposes of informing this report is not a specific measure of ICWA compliance, but does provide useful information on how states are implementing key requirements of ICWA.

Provides HHS authority to modify reporting requirements for Indian tribes and organizations receiving not more than \$50,000 to reduce administrative burden on tribes. The modifications must be made in consultation with affected Indian tribes and tribal organizations in a way that limits administrative burden.

Provides new flexibilities for Indian tribes administering child welfare programs including: permitting Indian tribes to substitute a different administrative cost rate as negotiated and used by tribe for other federal grants; specifying that Indian tribes administering

child welfare programs meet the \$10,000 threshold under Subpart 2 based on consideration of both mandatory and discretionary funding provided under Subpart 2, and that the 3% in funding reserved for tribes under Subpart 2 must be reserved before other set-asides of that funding.

Increases funding for the CIP program for tribes from \$1 million to \$2 million beginning in FY 2026. These grants are awarded competitively.

Section 8. Accelerating access to Family First Prevention Services

REASONS FOR CHANGE

The Family First Prevention Services Clearinghouse assesses research evaluations of programs designed to prevent children from entering the child welfare system. Established in 2018 by the Family First Prevention Services Act (P.L. 115–123), the Clearinghouse provides ratings mental health support, substance abuse prevention and treatment, in-home parent skill-based programs, and kinship navigator programs. Only programs in the Clearinghouse are eligible for federal prevention services matching funds. As of July 2024, 85 programs have been approved by the Clearinghouse, with many organizations citing challenges in developing and conducting the rigorous research needed for approval.³ This bill intends to improve the number and selection of prevention services offered under Family First by providing competitive grants for researching programs to meet Clearinghouse standards.

EXPLANATION OF PROVISIONS

Reserves \$5 million in discretionary funding for competitive grants for each of FY 2025–FY 2029 to eligible entities to support the timely evaluation of prevention services and programs to fill gaps in the interventions currently available to states in the Clearinghouse. Projects must be carried out by at least one partner entity that is able to provide the service or program and one that is able to evaluate that work. Each project evaluation must be designed to determine if the service or program meets the promising, supported, or well-supported practice and evidence standards included in the Clearinghouse. The evaluation must be rigorous but does not need to be a randomized controlled trial. Requires HHS to provide a Report to Congress on the grants awarded, programs funded by the grants, technical assistance provided with respect to the efforts to secure evaluators, and support for program evaluation.

Section 9. Strengthening support for youth aging out of foster care

REASONS FOR CHANGE

The child welfare system has historically operated by making decisions for, rather than with, those in the system. Significant improvements have been made in recent years, largely due to youth and parent advisory boards that offer firsthand insights to policymakers and state administrators on enhancing the system. This bill aims to elevate the role of those with lived experience by for-

³Administration for Children and Families (ACF), U.S. Department of Health and Human Services (HHS). (2024). Title IV–E Prevention Services Clearinghouse.

mally incorporating their input into Title IV–B state plans. By supporting collaborative development and public transparency, the bill ensures that the voices of those affected are central to shaping policies. States should work collaboratively with current and former foster youth and parents, family members, parents, and others with lived experience and incorporate meaningful feedback, guidance, and recommendations to improve outcomes for those impacted by the child welfare system.

EXPLANATION OF PROVISIONS

Updates the Monthly Caseworker Visit (MCV) program to allow states to offer virtual caseworker visits for foster youth who have attained age 18 and provided informed consent for virtual visits. States should use virtual visits as a tool, the provision is not meant to replace in-person visits entirely, and should continue to prioritize high quality in-person interactions with youth in extended foster care. This policy is not meant to affect or change the current HHS guidance (ACYF–CB–PI–10–01) and flexibility currently available.

This section also modernizes state plans to ensure states engage key stakeholders, including appropriate community organizations and public agencies, which the Committee intends to fully include Indian tribes and tribal organizations. Importantly, the section also requires plans to be developed in consultation with parents, adoptive parents, kinship caregivers, and children, youth, and young adults with lived experience in the child welfare system and requires the state to make publicly accessible on a website a report that outlines how the state has implemented the feedback of parents, children, and youth with lived experience.

Under this section the Secretary of HHS is required to assess whether a state has made efforts to engage key stakeholders in the development of their Title IV–B plan. The list of stakeholders includes appropriate public agencies and community-based organizations, which we clarify includes Indian tribes and tribal organizations within their state.

Section 10. Recognizing the importance of relative and kinship caregivers

REASONS FOR CHANGE

Kinship caregivers play a crucial role in supporting vulnerable children and families, helping to prevent the need for child welfare intervention, providing short-term care, and providing a vital permanency option for children who cannot safely return home. In 2022, 2.5 million grandparents and relatives provided kinship care for children who would otherwise have entered foster care⁴ Family members are also a key source of permanency for children who cannot return home. In 2022, at least a fifth of children who exited foster care did so to live with kin via guardianship, adoption, or another arrangement.⁵ This section acknowledges the importance of kinship caregivers and the vital role they fulfill in children’s lives.

⁴ Annie E. Casey Foundation. (2022). Kinship care.

⁵ <https://www.acf.hhs.gov/sites/default/files/documents/cb/afcars-report-30.pdf#page=4>, <https://www.acf.hhs.gov/sites/default/files/documents/cb/afcars-report-30.pdf#page=6>.

Because the number of Kinship Navigator programs in the Family First Prevention Services Clearinghouse is limited, Congress has in the past provided appropriations at varying levels to support Kinship Navigator programs not being funded under IV-E. The bill provides more stable funding for states to fund Kinship Navigator programs and continue providing vital services while either completing evaluations that will qualify them for the Clearinghouse and federal matching funds, or transitioning programs to a different model which is eligible for federal matching funds. Given the critical role they play, there is a need to expand support for kinship caregivers. The Committee's intent is to grow the number of Kinship Navigator programs with a demonstrated evidence-base that are included in the Clearinghouse. In addition to Kinship Navigator programs, the Committee also recognizes that respite care and peer mentoring can be important tools to support kin.

EXPLANATION OF PROVISIONS

Amends the definition of family preservation services under Subpart 2 to include references to serving youth and kinship families; names kinship caregivers as among the caregivers (in addition to parents and foster parents) to whom respite care may be made available as a temporary relief; and includes peer-to-peer mentoring and support programs designed to help children and families learn from others who have direct experience or interaction with the child welfare system. Clarifies that expenditures for constructive peer-to-peer mentoring by individuals with relevant lived experience may be considered as an expenditure in any one or more of the four categorical services areas listed in Subpart 2 as long as the expenditure is related to serving children and families in the specified category and consistent with the overall purpose of the category. Effective peer mentoring models take a collaborative, uplifting approach, utilize both parents and youth with lived experience, facilitate collaboration among caregivers, and can be particularly effective in family support and reunification.

Amends the definition of family support services to clarify that kinship families are among those for whom family support services may be offered to increase stability. Provides that family reunification services may be provided to enable a child to return home when a child is placed with a kinship caregiver. Adds a definition for the term "youth" defined as any individual who has not yet attained 26 years of age.

Reserves \$10 million from any discretionary funding appropriated under Subpart 2 for competitive grants for each of FY 2025–FY 2029 to provide services and support the transition to evidence-based kinship navigator programs to assist kin caregivers in learning about, finding, and using programs and services to meet the needs of the children they are raising and their own needs, and to promote effective partnerships among public and private agencies. Grantees may be state, local, or tribal child welfare agencies, relevant service providers, or institutions of higher education. Grantees would be required to provide non-federal matching support for their program totaling at least 25% of the grant program costs. Permits HHS to reserve up to 2% of funds to provide technical assistance.

Section 11. Avoiding neglect by addressing poverty

REASONS FOR CHANGE

In 2023, 62% of child welfare removal cases were associated with neglect. While poverty is a risk factor for neglect, it should not be confused with neglect itself.⁶ Child welfare agencies should prioritize keeping children in their homes whenever it is safe and feasible, using available resources to address immediate material needs that can prevent child welfare involvement. While maintaining state flexibility, the Committee aims to clarify that a family experiencing material hardship should not be the sole grounds for considering a child neglected or for their removal.

EXPLANATION OF PROVISIONS

Amends the definition of family preservation services to include services providing nonrecurring, short-term benefits that address a specific crisis, situation, or event affecting the ability of a child to remain in a home established for the child and which are not intended to meet an ongoing need. Provides that expenditures for this purpose may be considered as an expenditure in any one or more of the four categorical services areas listed in Subpart 2 as long as the expenditure is related to serving children and families in the specified category and consistent with the overall purpose of the category. HHS should consult with states and tribes on what kinds of benefits and resources might be considered under this category.

Modifies the state plan to require a description of the policies in place to address child welfare reports and investigations related to a child's living arrangements or basic needs to prevent the separation of a child and parent solely on the basis of poverty and how the state makes available short-term benefits to address a crisis or situation that is affecting the ability of the child to remain in their home.

Section 12. Strengthening support for caseworkers

REASONS FOR CHANGE

Child welfare caseworkers have challenging and sometimes even dangerous jobs, and state and tribal agencies face significant challenges to recruit, retain, and support a workforce equipped to support children and families effectively. This section aims to alleviate some of the burden for caseworkers by removing a financial penalty for failing to make monthly caseworker visits that has proven ineffective, and instead investing in targeted resources and tools that support workers, improve worker retention, and improve the quality of caseworker/family interactions.

EXPLANATION OF PROVISIONS

Extends the reservation of funding for the Monthly Caseworker Visit (MCV) program from FY 2025–FY 2029 and provides \$26 million per year beginning in FY 2026. Establishes a \$100,000 base grant award and removes the state match financial penalty while

⁶Children's Bureau. (2024, March 13). AFCARS Report #30. U.S. Department of Health and Human Services.

maintaining the requirement that caseworkers visit with children once a month. Specifies that funds should be used to bolster the child welfare workforce, including:

- reducing caseloads ratios and alleviating administrative burdens on caseworkers;
- increasing retention, recruitment, and training of caseworkers;
- streamlining caseworker duties and modernizing systems;
- enhancing caseworker safety;
- supporting the well-being of caseworkers, including peer support programs; and
- attracting a qualified workforce.

Section 13. Demonstration projects for improving relationships between incarcerated parents and children in foster care

REASONS FOR CHANGE

Children in foster care with incarcerated parents often face especially disrupted relationships and a lack of meaningful family connections. Research shows contact with parents can serve as a protective factor to help mitigate negative outcomes for both foster youth and incarcerated parents.⁷ For example, maintaining contact between foster children and their birth parents resulted in lower levels of child depression and fewer externalizing behaviors.⁸ Similarly, an evaluation of the Parenting Inside Out child visitation program improved parenting skills and knowledge as well as reduced children's anxiety, depression, and externalizing behaviors.⁹ This section is intended to increase communication and visitation between foster children and incarcerated parents, and also grow our knowledge of the most effective ways to support and strengthen foster children's relationships with their incarcerated parents.

EXPLANATION OF PROVISIONS

Authorizes \$35 million in discretionary funding for competitive grants for each of FY 2025–FY 2029 to support programs that facilitate and sustain meaningful relationships between covered foster children and their incarcerated parents. The program's objectives are to provide enhanced visitation opportunities, ensuring children receive at least nine in-person visits each year, ensure that parents can communicate with and get information about their children, and provide case management to parents to promote access to services, and legal assistance. Requires HHS to conduct an evaluation of program outcomes and provide a Report to Congress describing grants awarded and best practices for facilitating meaningful relationships between covered foster children and incarcerated parents. Grantees would be required to provide non-federal matching support for their program totaling at least 25% of program costs.

⁷ <https://files.eric.ed.gov/fulltext/ED507722.pdf>.

⁸ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2928481/>.

⁹ <https://sred.onlinelibrary.wiley.com/doi/epdf/10.1111/mono.12022>.

Section 14. Guidance to states on improving data collection and reporting for youth in residential treatment programs

REASONS FOR CHANGE

10% of children in the foster care system reside in a form of residential or congregate care during their time in care.¹⁰ Recent reports and data, including the Senate Finance Committee report titled “Many States Lack Information to Monitor Maltreatment in Residential Facilities for Children in Foster Care,” and a recent HHS Inspector General report¹¹ also found serious gaps in oversight of residential facilities that house foster children. Youth and advocates also testified to the Committee about their problematic placements.¹² There is a need for cross-cutting solutions, since federal dollars support youth placements in residential facilities across a range of programs, and in some cases, the same facilities house foster children and children funded by Medicaid, the juvenile justice system, and independent living programs for children with disabilities.

EXPLANATION OF PROVISIONS

Directs HHS, in consultation with the Department of Education, Administration for Children and Families, the Center for Medicare and Medicaid Services, Administration for Community Living, and the Department of Justice, to develop guidance on best practices for collecting data and sharing information related to placements of foster youth in residential treatment facilities, improving data on maltreatment of youth in these facilities, and enhancing oversight health, safety, and well-being in youth residential programs, including those operating in more than one state. It is our expectation that HHS will consult collaboratively with states and tribes to inform data collection and analysis. The guidance is to be issued within two years of enactment.

Section 15. Streamlining research, training, and technical assistance funding

REASONS FOR CHANGE

Expanding services available in the Family First Prevention Services Clearinghouse, supporting the child welfare workforce, and effective protection of Indian children in the child welfare system are pressing issues for which child advocates, tribes, and state and tribal child welfare agencies have requested additional support. This section prioritizes limited research funds to address areas of highest need, while ensuring that resources are allocated where they can have the most significant impact.

EXPLANATION OF PROVISIONS

Re-purposes an existing discretionary research set-aside to support Monthly Caseworker Visits and eliminates the general \$6 million research set-aside for HHS from mandatory funding. Reserves

¹⁰ Children’s Bureau. (2024, March 13). AFCARS Report #30. U.S. Department of Health and Human Services.

¹¹ <https://oig.hhs.gov/reports-and-publications/all-reports-and-publications/many-states-lack-information-to-monitor-maltreatment-in-residential-facilities-for-children-in-foster-care/>.

¹² Foster youth hearing.

from discretionary funding \$1 million for technical assistance for RPGs to support evaluations of programs for inclusion in the Family First Prevention Services Clearinghouse, and \$1 million for HHS technical assistance to support effective implementation of ICWA.

Section 16. Report on post-adoption and subsidized guardianship services

REASONS FOR CHANGE

A 2022 report from HHS found that 30% of children adopted from the foster care system experienced some form of formal instability or a termination of parental rights.¹³ This significant percentage indicates that many adoptions from the foster care system result in failed adoptions. This section seeks to collect more data on these adoptions and assess the effectiveness of post-adoption services and resources provided to families. The goal is to identify gaps in services, inform strategic investments, and improve outcomes for adopted children and their families, including adoptions by kin.

EXPLANATION OF PROVISIONS

Requires HHS to prepare a report on children who enter foster care after previously being adopted. The report should utilize data from the Adoption and Foster Care Analysis and Reporting System and other sources to evaluate whether individuals received pre- or post-adoption services, the age of the child who entered foster care after an adoption, and availability of evidence-based post-adoption and guardianship services in each state.

Section 17. Effective date

REASONS FOR CHANGE

The Committee believes this implementation date is feasible based on guidance from HHS.

EXPLANATION OF PROVISIONS

Establishes that amendments made by this bill shall take effect on October 1, 2025. Delays for compliance with new requirements are permitted if state legislation is required. HHS may provide additional flexibility to Indian tribes and tribal organizations.

EFFECTIVE DATE

The bill would become effective on October 1, 2025.

III. VOTE OF THE COMMITTEE

In compliance with the Rules of the House of Representatives, the following statement is made concerning the vote of the Committee on Ways and Means during the markup consideration of H.R. 9076 “Protecting America’s Children by Strengthening Families Act,” on July 24, 2024.

¹³ National Survey of Child and Adolescent Well-Being (NSCAW) Adoption Follow-Up Study: Findings Report. (2022). OPRE Report #2022–306.

H.R. 9076 was ordered favorably reported to the House of Representatives as amended by a roll call vote of 38 yeas to 0 nays (with a quorum being present). The vote was as follows:

Representative	Yea	Nay	Present	Representative	Yea	Nay	Present
Mr. Smith (MO)	X	.....	.....	Mr. Neal	X	.....	.....
Mr. Buchanan	X	.....	.....	Mr. Doggett .....	.....	.....	.....
Mr. Smith (NE)	X	.....	.....	Mr. Thompson	X	.....	.....
Mr. Kelly	X	.....	.....	Mr. Larson .....	.....	.....	.....
Mr. Schweikert	X	.....	.....	Mr. Blumenauer	X	.....	.....
Mr. LaHood	X	.....	.....	Mr. Pascrell .....	.....	.....	.....
Dr. Wenstrup	X	.....	.....	Mr. Davis	X	.....	.....
Mr. Arrington	X	.....	.....	Ms. Sánchez	X	.....	.....
Dr. Ferguson	X	.....	.....	Ms. Sewell	X	.....	.....
Mr. Estes	X	.....	.....	Ms. DelBene	X	.....	.....
Mr. Smucker	X	.....	.....	Ms. Chu	X	.....	.....
Mr. Hern	X	.....	.....	Ms. Moore	X	.....	.....
Ms. Miller	X	.....	.....	Mr. Kildee	X	.....	.....
Dr. Murphy	X	.....	.....	Mr. Beyer	X	.....	.....
Mr. Kustoff	X	.....	.....	Mr. Evans .....	.....	.....	.....
Mr. Fitzpatrick	X	.....	.....	Mr. Schneider	X	.....	.....
Mr. Steube	X	.....	.....	Mr. Panetta	X	.....	.....
Ms. Tenney	X	.....	.....	Mr. Gomez	X	.....	.....
Mrs. Fischbach	X	.....	.....		
Mr. Moore	X	.....	.....		
Mrs. Steel	X	.....	.....		
Ms. Van Duyne .....	.....	.....	.....	
Mr. Feenstra	X	.....	.....		
Ms. Malliotakis	X	.....	.....		
Mr. Carey	X	.....	.....		

IV. BUDGET EFFECTS OF THE BILL

A. COMMITTEE ESTIMATE OF BUDGETARY EFFECTS

In compliance with clause 3(d) of rule XIII of the Rules of the House of Representatives, the following statement is made concerning the effects on the budget of the bill, H.R. 9076, as reported. The estimate prepared by the Congressional Budget Office (CBO) is included below.

B. STATEMENT REGARDING NEW BUDGET AUTHORITY AND TAX EXPENDITURES BUDGET AUTHORITY

In compliance with clause 3(c)(2) of rule XIII of the Rules of the House of Representatives, the Committee states that the bill involves no new or increased budget authority. The Committee states further that the bill involves no new or increased tax expenditures.

C. COST ESTIMATE PREPARED BY THE CONGRESSIONAL BUDGET OFFICE

With respect to the requirements of clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the *Congressional Budget Act of 1974* and with respect to requirements of clause (3)(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the *Congressional Budget Act of 1974*, the Committee has requested but not received a cost estimate for this bill from the Director of Congressional Budget Office. The Chairman of the Committee shall cause such estimate and statement to be printed in the Congressional Record upon its receipt by the Committee.

V. OTHER MATTERS TO BE DISCUSSED UNDER THE RULES OF THE HOUSE

A. COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

With respect to clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee made findings and recommendations that are reflected in this report.

B. STATEMENT OF GENERAL PERFORMANCE GOALS AND OBJECTIVES

With respect to clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the Committee advises that the bill does not authorize funding, so no statement of general performance goals and objectives is required.

C. INFORMATION RELATING TO UNFUNDED MANDATES

This information is provided in accordance with section 423 of the Unfunded Mandates Reform Act of 1995 (Pub. L. No. 104-4).

The Committee has determined that the bill does not contain Federal mandates on the private sector. The Committee has determined that the bill does not impose a Federal intergovernmental mandate on State, local, or tribal governments.

D. CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, AND LIMITED TARIFF BENEFITS

With respect to clause 9 of rule XXI of the Rules of the House of Representatives, the Committee has carefully reviewed the provisions of the bill, and states that the provisions of the bill do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits within the meaning of the rule.

E. DUPLICATION OF FEDERAL PROGRAMS

In compliance with clause 3(c)(5) of rule XIII of the Rules of the House of Representatives, the Committee states that no provision of the bill establishes or reauthorizes: (1) a program of the Federal Government known to be duplicative of another Federal program; (2) a program included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111-139; or (3) a program related to a program identified in the most recent Catalog of Federal Domestic Assistance, published pursuant to the Federal Program Information Act (Pub. L. No. 95-220, as amended by Pub. L. No. 98-169).

VI. CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omit-

ted is enclosed in black brackets, new matter is printed in italics, and existing law in which no change is proposed is shown in roman):

SOCIAL SECURITY ACT

* * * * *

TITLE IV—GRANTS TO STATES FOR AID AND SERVICES TO NEEDY FAMILIES WITH CHILDREN AND FOR CHILD-WEL- FARE SERVICES

* * * * *

PART B—CHILD AND FAMILY SERVICES

Subpart 1—Stephanie Tubbs Jones Child Welfare Services Program

* * * * *

STATE PLANS FOR CHILD WELFARE SERVICES

SEC. 422. (a) In order to be eligible for payment under this subpart, a State must have a plan for child welfare services which has been developed jointly by the Secretary and the State agency designated pursuant to subsection (b)(1), and which meets the requirements of subsection (b).

(b) Each plan for child welfare services under this subpart shall—

[(1) provide that (A) the individual or agency that administers or supervises the administration of the State's services program under subtitle 1 of title XX will administer or supervise the administration of the plan (except as otherwise provided in section 103(d) of the Adoption Assistance and Child Welfare Act of 1980), and (B) to the extent that child welfare services are furnished by the staff of the State agency or local agency administering the plan, a single organizational unit in such State or local agency, as the case may be, will be responsible for furnishing such child welfare services;]

(1) *provide that a State agency will administer or supervise the administration of the plan under this subpart;*

(2) provide for coordination between the services provided for children under the plan and the services and assistance provided under subtitle 1 of title XX, under the State program funded under part A, under the State plan approved under subpart 2 of this part, under the State plan approved under the State plan approved under part E, and under other State programs having a relationship to the program under this subpart, with a view to provision of welfare and related services which will best promote the welfare of such children and their families;

(3) include a description of the services and activities which the State will fund under the State program carried out pursuant to this subpart, and how the services and activities will achieve the purpose of this subpart;

(4) contain a description of—

(A) the steps the State will take to provide child welfare services statewide and to expand and strengthen the range of existing services and develop and implement services to improve child outcomes; **[and]**

(B) the child welfare services staff development and training plans of the State; and

(C) *the steps that the State will take to ensure that, with respect to any judicial proceeding involving a child and in which there is an allegation of child abuse or neglect, including a proceeding on dependency, adoption, guardianship, or termination of parental rights, information about available independent legal representation is provided to—*

(i) *the child, as appropriate; and*

(ii) *any individual who is a parent or guardian, or has legal custody, of the child;*

(5) provide, in the development of services for children, for utilization of the facilities and experience of voluntary agencies in accordance with State and local programs and arrangements, as authorized by the State;

(6) provide that the agency administering or supervising the administration of the plan will furnish such reports, containing such information, and participate in such evaluations, as the Secretary may require;

(7) provide for the diligent recruitment of potential foster and adoptive families that reflect the ethnic and racial diversity of children in the State for whom foster and adoptive homes are needed;

(8) provide assurances that the State—

(A) is operating, to the satisfaction of the Secretary—

(i) a statewide information system from which can be readily determined the status, demographic characteristics, location, and goals for the placement of every child who is (or, within the immediately preceding 12 months, has been) in foster care;

(ii) a case review system (as defined in section 475(5) and in accordance with the requirements of section 475A) for each child receiving foster care under the supervision of the State;

(iii) a service program designed to help children—

(I) where safe and appropriate, return to families from which they have been removed; or

(II) be placed for adoption, with a legal guardian, or if adoption or legal guardianship is determined not to be appropriate for a child, in some other planned, permanent living arrangement, subject to the requirements of sections 475(5)(C) and 475A(a), which may include a residential educational program; and

(iv) a preplacement preventive services program designed to help children at risk of foster care placement remain safely with their families; and

(B) has in effect policies and administrative and judicial procedures for children abandoned at or shortly after birth (including policies and procedures providing for legal rep-

resentation of the children) which enable permanent decisions to be made expeditiously with respect to the placement of the children;

(9) contain a description, developed after consultation with tribal organizations (as defined in section 4 of the Indian Self-Determination and Education Assistance Act) in the State, of the specific measures taken by the State to comply with the Indian Child Welfare ~~Act;~~ *Act of 1978, including how the State will ensure timely notice to Indian tribes of State custody proceedings involving Indian children, foster care or adoptive placements of Indian children, and case recordkeeping as such matters relate to transfers of jurisdiction, termination of parental rights, and active efforts;*

(10) contain assurances that the State shall make effective use of cross-jurisdictional resources (including through contracts for the purchase of services), and shall eliminate legal barriers, to facilitate timely adoptive or permanent placements for waiting children;

(11) contain a description of the activities that the State has undertaken for children adopted from other countries, including the provision of adoption and post-adoption services;

(12) provide that the State shall collect and report information on children who are adopted from other countries and who enter into State custody as a result of the disruption of a placement for adoption or the dissolution of an adoption, including the number of children, the agencies who handled the placement or adoption, the plans for the child, and the reasons for the disruption or dissolution;

(13) demonstrate substantial, ongoing, and meaningful collaboration with State courts in the development and implementation of the State plan under subpart 1, the State plan approved under subpart 2, and the State plan approved under part E, and in the development and implementation of any program improvement plan required under section 1123A;

(14) not later than October 1, 2007, include assurances that not more than 10 percent of the expenditures of the State with respect to activities funded from amounts provided under this subpart will be for administrative costs;

(15)(A) provides that the State will develop, in coordination and collaboration with the State agency referred to in paragraph (1) and the State agency responsible for administering the State plan approved under title XIX, *and, if applicable, the State agency responsible for mental health services*, and in consultation with pediatricians, *mental health providers*, other experts in health care, and experts in and recipients of child welfare services, a plan for the ongoing oversight and coordination of health care services for any child in a foster care placement, which shall ensure a coordinated strategy to identify and respond to the health care needs of children in foster care placements, including mental health and dental health needs, and shall include an outline of—

(i) a schedule for initial and follow-up health screenings that meet reasonable standards of medical practice;

(ii) how health needs identified through screenings will be monitored and treated, including *a list of services provided to support the physical and emotional trauma associated with a child's maltreatment and removal from home*;

(iii) how medical information for children in care will be updated and appropriately shared, which may include the development and implementation of an electronic health record;

(iv) steps to ensure continuity of health care *and mental health* services, which may include the establishment of a medical home for every child in care;

(v) the oversight of prescription medicines, including protocols for the appropriate use and monitoring of psychotropic medications, *informed consent of youth, and compliance with professional practice guidelines*;

(vi) how the State actively consults with and involves physicians, *licensed mental health providers*, or other appropriate medical or non-medical professionals in assessing the health and well-being of children in foster care and in determining appropriate medical treatment for the children;

(vii) the procedures and protocols the State has established to ensure that children in foster care placements are not inappropriately diagnosed with mental illness, other emotional or behavioral disorders, medically fragile conditions, or developmental disabilities, and placed in settings that are not foster family homes as a result of the inappropriate diagnoses; and

(viii) steps to ensure that the components of the transition plan development process required under section 475(5)(H) that relate to the health care needs of children aging out of foster care, including the requirements to include options for health insurance, information about a health care power of attorney, health care proxy, or other similar document recognized under State law, and to provide the child with the option to execute such a document, are met; and

(B) subparagraph (A) shall not be construed to reduce or limit the responsibility of the State agency responsible for administering the State plan approved under title XIX to administer and provide care and services for children with respect to whom services are provided under the State plan developed pursuant to this subpart;

(16) provide that, not later than 1 year after the date of the enactment of this paragraph, the State shall have in place procedures providing for how the State programs assisted under this subpart, subpart 2 of this part, or part E would respond to a disaster, in accordance with criteria established by the Secretary which should include how a State would—

(A) identify, locate, and continue availability of services for children under State care or supervision who are displaced or adversely affected by a disaster;

(B) respond, as appropriate, to new child welfare cases in areas adversely affected by a disaster, and provide services in those cases;

(C) remain in communication with caseworkers and other essential child welfare personnel who are displaced because of a disaster;

(D) preserve essential program records; and

(E) coordinate services and share information with other States;

(17) not later than October 1, 2007, describe the State standards for the content and frequency of caseworker visits for children who are in foster care under the responsibility of the State, which, at a minimum, ensure that the children are visited on a monthly basis and that the caseworker visits are well-planned and focused on issues pertinent to case planning and service delivery to ensure the safety, permanency, and well-being of the children, *and include a description of how the State may offer virtual caseworker visits to youth in care who have attained the age of 18 years and provided informed consent for virtual visits*;

(18) include a description of the activities that the State has undertaken to reduce the length of time children who have not attained 5 years of age are without a permanent family, and the activities the State undertakes to address the developmental needs of all vulnerable children under 5 years of age who receive benefits or services under this part or part E; and

(19) document steps taken to track and prevent child maltreatment deaths by including—

(A) a description of the steps the State is taking to compile complete and accurate information on the deaths required by Federal law to be reported by the State agency referred to in paragraph (1), including gathering relevant information on the deaths from the relevant organizations in the State including entities such as State vital statistics department, child death review teams, law enforcement agencies, offices of medical examiners, or coroners; and

(B) a description of the steps the State is taking to develop and implement a comprehensive, statewide plan to prevent the fatalities that involves and engages relevant public and private agency partners, including those in public health, law enforcement, and the courts.

(c) DEFINITIONS.—In this subpart:

(1) ADMINISTRATIVE COSTS.—The term “administrative costs” means costs for the following, but only to the extent incurred in administering the State plan developed pursuant to this subpart: procurement, payroll management, personnel functions (other than the portion of the salaries of supervisors attributable to time spent directly supervising the provision of services by caseworkers), management, maintenance and operation of space and property, data processing and computer services, accounting, budgeting, auditing, and travel expenses (except those related to the provision of services by caseworkers or the oversight of programs funded under this subpart).

(2) OTHER TERMS.—For definitions of other terms used in this part, see section 475.

ALLOTMENTS TO STATES

SEC. 423. (a) IN GENERAL.—

(1) IN GENERAL.—Subject to paragraph (2), [the sum appropriated pursuant to section 425 for each fiscal year] *for each fiscal year, the sum appropriated pursuant to section 425 remaining after applying section 428(a)* shall be allotted by the Secretary for use by cooperating State public welfare agencies which have plans developed jointly by the State agency and the Secretary as follows: The Secretary shall first allot \$70,000 to each State, and shall then allot to each State an amount which bears the same ratio to the remainder of such sum as the product of (1) the population of the State under the age of twenty-one and (2) the allotment percentage of the State (as determined under this section) bears to the sum of the corresponding products of all the States.

(2) GRANTS TO STATES TO ENHANCE COLLABORATION BETWEEN STATE CHILD WELFARE AND JUVENILE JUSTICE SYSTEMS.—For each fiscal year beginning with fiscal year 2023 for which the amount appropriated under section 425 for the fiscal year exceeds \$270,000,000—

(A) the Secretary shall reserve from such excess amount such sums as are necessary for making grants under section 429A for such fiscal year, *not to exceed \$10,000,000*; and

(B) the remainder to be applied under paragraph (1) for purposes of making allotments to States for such fiscal year shall be determined after the Secretary first allots \$70,000 to each State under such paragraph and reserves such sums under subparagraph (A) of this paragraph.

(b) DETERMINATION OF STATE ALLOTMENT PERCENTAGES.—The “allotment percentage” for any State shall be 100 per percent less the State percentage; and the State percentage shall be the percentage which bears the same ratio to 50 per percent as the per capita income of such State bears to the per capita income of the United States; except that (1) the allotment percentage shall in no case be less than 30 per percent or more than 70 per percent, and (2) the allotment percentage shall be 70 per percent in the case of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

(c) PROMULGATION OF STATE ALLOTMENT PERCENTAGES.—The allotment percentage for each State shall be promulgated by the Secretary between October 1 and November 30 of each even-numbered year, on the basis of the average per capita income of each State and of the United States for the three most recent calendar years for which satisfactory data are available from the Department of Commerce. Such promulgation shall be conclusive for each of the two fiscal years in the period beginning October 1 next succeeding such promulgation.

(d) UNITED STATES DEFINED.—For purposes of this section, the term “United States” means the 50 States and the District of Columbia.

(e) REALLOTMENT OF FUNDS.—

(1) IN GENERAL.—The amount of any allotment to a State for a fiscal year under the preceding provisions of this section which the State certifies to the Secretary will not be required for carrying out the State plan developed as provided in section 422 shall be available for reallocation from time to time, on such dates as the Secretary may fix, to other States which the Secretary determines—

(A) need sums in excess of the amounts allotted to such other States under the preceding provisions of this section, in carrying out their State plans so developed; and

(B) will be able to so use such excess sums during the fiscal year.

(2) CONSIDERATIONS.—The Secretary shall make the reallocations on the basis of the State plans so developed, after taking into consideration—

(A) the population under 21 years of age;

(B) the per capita income of each of such other States as compared with the population under 21 years of age; and

(C) the per capita income of all such other States with respect to which such a determination by the Secretary has been made.

(3) AMOUNTS REALLOTTED TO A STATE DEEMED PART OF STATE ALLOTMENT.—Any amount so reallocated to a State is deemed part of the allotment of the State under this section.

PAYMENT TO STATES

SEC. 424. (a) From the sums appropriated therefor and the allotment under this subpart, subject to the conditions set forth in this section, the Secretary shall from time to time pay to each State that has a plan developed in accordance with section 422 an amount equal to 75 percent of the total sum expended under the plan (including the cost of administration of the plan) in meeting the costs of State, district, county, or other local child welfare services.

(b) The method of computing and making payments under this section shall be as follows:

(1) The Secretary shall, prior to the beginning of each period for which a payment is to be made, estimate the amount to be paid to the State for such period under the provisions of this section.

(2) From the allotment available therefor, the Secretary shall pay the amount so estimated, reduced or increased, as the case may be, by any sum (not previously adjusted under this section) by which he finds that his estimate of the amount to be paid the State for any prior period under this section was greater or less than the amount which should have been paid to the State for such prior period under this section.

(c) LIMITATION ON USE OF FEDERAL FUNDS FOR CHILD CARE, FOSTER CARE MAINTENANCE PAYMENTS, OR ADOPTION ASSISTANCE PAYMENTS.—The total amount of Federal payments under this subpart for a fiscal year beginning after September 30, 2007, that may be used by a State for expenditures for child care, foster care maintenance payments, or adoption assistance payments shall not exceed the total amount of such payments for fiscal year 2005 that were so used by the State.

(d) **LIMITATION ON USE BY STATES OF NON-FEDERAL FUNDS FOR FOSTER CARE MAINTENANCE PAYMENTS TO MATCH FEDERAL FUNDS.**—For any fiscal year beginning after September 30, 2007, State expenditures of non-Federal funds for foster care maintenance payments shall not be considered to be expenditures under the State plan developed under this subpart for the fiscal year to the extent that the total of such expenditures for the fiscal year exceeds the total of such expenditures under the State plan developed under this subpart for fiscal year 2005.

(e) **LIMITATION ON REIMBURSEMENT FOR ADMINISTRATIVE COSTS.**—A payment may not be made to a State under this section with respect to expenditures during a fiscal year for administrative costs, to the extent that the total amount of the expenditures exceeds 10 percent of the total expenditures of the State during the fiscal year for activities funded from amounts provided under this subpart.

(f) **[(1)(A)]** Each State shall take such steps as are necessary to ensure that the total number of visits made by caseworkers on a monthly basis to children in foster care under the responsibility of the State during a fiscal year is not less than 90 percent (or, in the case of fiscal year 2015 or thereafter, 95 percent) of the total number of such visits that would occur during the fiscal year if each such child were so visited once every month while in such care.

[(B)] If the Secretary determines that a State has failed to comply with subparagraph (A) for a fiscal year, then the percentage that would otherwise apply for purposes of subsection (a) for the fiscal year shall be reduced by—

[(i)] 1, if the number of full percentage points by which the State fell short of the percentage specified in subparagraph (A) is less than 10;

[(ii)] 3, if the number of full percentage points by which the State fell short, as described in clause (i), is not less than 10 and less than 20; or

[(iii)] 5, if the number of full percentage points by which the State fell short, as described in clause (i), is not less than 20.]

[(2)(A)] Each State shall take such steps as are necessary to ensure that not less than 50 percent of the total number of visits made by caseworkers to children in foster care under the responsibility of the State during a fiscal year occur in the residence of the child involved.

[(B)] If the Secretary determines that a State has failed to comply with subparagraph (A) for a fiscal year, then the percentage that would otherwise apply for purposes of subsection (a) for the fiscal year shall be reduced by—

[(i)] 1, if the number of full percentage points by which the State fell short of the percentage specified in subparagraph (A) is less than 10;

[(ii)] 3, if the number of full percentage points by which the State fell short, as described in clause (i), is not less than 10 and less than 20; or

[(iii)] 5, if the number of full percentage points by which the State fell short, as described in clause (i), is not less than 20.]

LIMITATIONS ON AUTHORIZATION OF APPROPRIATIONS

SEC. 425. To carry out this subpart (other than sections 426, 427, and 429), there are authorized to be appropriated to the Secretary not more than \$325,000,000 for each of fiscal years [2017 through 2023] *2025 through 2029*.

* * * * *

SEC. 427. [FAMILY CONNECTION GRANTS] *KINSHIP NAVIGATORS*.

(a) IN GENERAL.—The Secretary of Health and Human Services may make matching grants to State, local, or tribal child welfare agencies, private nonprofit organizations that have experience in working with foster children or children in kinship care arrangements, and institutions of higher education (as defined under section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)), for the purpose of [helping] *administering programs to help* children who are in, or at risk of entering, foster care reconnect with family members through the implementation [of—]

[(1) a kinship] *of a kinship* navigator program to assist kinship caregivers in learning about, finding, and using programs and services to meet the needs of the children they are raising and their own needs, and to promote effective partnerships among public and private agencies to ensure kinship caregiver families are served, which program—

[(A)] (1) shall be coordinated with other State or local agencies that promote service coordination or provide information and referral services, including the entities that provide 2–1–1 or 3–1–1 information systems where available, to avoid duplication or fragmentation of services to kinship care families;

[(B)] (2) shall be planned and operated in consultation with kinship caregivers and organizations representing them, youth raised by kinship caregivers, relevant government agencies, and relevant community-based or faith-based organizations;

[(C)] (3) shall establish information and referral systems that link (via toll-free access) kinship caregivers, kinship support group facilitators, and kinship service providers to—

[(i)] (A) each other;

[(ii)] (B) eligibility and enrollment information for Federal, State, and local benefits;

[(iii)] (C) relevant training to assist kinship caregivers in caregiving and in obtaining benefits and services; [and]

[(iv)] (D) relevant legal assistance and help in obtaining legal services; and

(E) *connections to individualized assistance, as needed*;

[(D)] (4) shall provide outreach to kinship care families, including by establishing, distributing, and updating a kinship care website, or other relevant guides or outreach materials;

[(E)] (5) shall promote partnerships between public and private agencies, including schools, community based or faith-based organizations, and relevant government agencies, to increase their knowledge of the needs of kinship care families and other individuals who are willing and able to be foster parents for children in foster care under the responsibility of the State who are themselves parents to promote better services for those families;

[(F)] (6) may establish and support a kinship care ombudsman with authority to intervene and help kinship caregivers access services; and

[(G)] (7) may support any other activities designed to assist kinship caregivers in obtaining benefits and services to improve their [caregiving;] *caregiving*.

[(2)] intensive family-finding efforts that utilize search technology to find biological family members for children in the child welfare system, and once identified, work to reestablish relationships and explore ways to find a permanent family placement for the children;

[(3)] family group decision-making meetings for children in the child welfare system, that—

[(A)] enable families to make decisions and develop plans that nurture children and protect them from abuse and neglect, and

[(B)] when appropriate, shall address domestic violence issues in a safe manner and facilitate connecting children exposed to domestic violence to appropriate services, including reconnection with the abused parent when appropriate; or

[(4)] residential family treatment programs that—

[(A)] enable parents and their children to live in a safe environment for a period of not less than 6 months; and

[(B)] provide, on-site or by referral, substance abuse treatment services, children's early intervention services, family counseling, medical, and mental health services, nursery and pre-school, and other services that are designed to provide comprehensive treatment that supports the family.]

(b) APPLICATIONS.—An entity desiring to receive a matching grant under this section shall submit to the Secretary an application, at such time, in such manner, and containing such information as the Secretary may require, including—

(1) a description of how the grant will be used to implement [1 or more of] the activities described in subsection (a);

(2) a description of the types of children and families to be served, including how the children and families will be identified and recruited, and an initial projection of the number of children and families to be served;

(3) *a description of how the entity will directly fund, or provide data to the Secretary for, an evaluation which will publish and submit information to the clearinghouse described in section 476(d)(2) and which is designed to meet the requirements of section 471(e)(4)(C), or a description of how the funds will be used to help the State transition to a program for which the State will seek reimbursement under section 474(a)(7);*

[(3)] (4) if the entity is a private organization—

(A) documentation of support from the relevant local or State child welfare agency; or

(B) a description of how the organization plans to coordinate its services and activities with those offered by the relevant local or State child welfare agency; [and]

[(4)] (5) an assurance that the entity will cooperate fully with any evaluation provided for by the Secretary under this section[.]; and

(6) *if the entity is a State, local or tribal child welfare agency—*

(A) documentation of support from a relevant community-based organization with experience serving kinship families when applicable; or

(B) a description of how the organization plans to coordinate its services and activities with those offered by the relevant community-based organizations.

(c) LIMITATIONS.—

(1) GRANT DURATION.—The Secretary may award a grant under this section for a period of not less than 1 year and not more than 3 years.

(2) NUMBER OF NEW GRANTEES PER YEAR.—The Secretary may not award a grant under this section to more than 30 new grantees each fiscal year.

[(d) FEDERAL CONTRIBUTION.—The amount of a grant payment to be made to a grantee under this section during each year in the grant period shall be the following percentage of the total expenditures proposed to be made by the grantee in the application approved by the Secretary under this section:

[(1) 75 percent, if the payment is for the 1st or 2nd year of the grant period.

[(2) 50 percent, if the payment is for the 3rd year of the grant period.]

(d) *FEDERAL SHARE.—An entity to which a grant is made under this section may use the grant to pay not more than 75 percent of the cost of the activities to be carried out by the entity pursuant to this section.*

(e) FORM OF GRANTEE CONTRIBUTION.—A grantee under this section may provide not more than 50 percent of the amount which the grantee is required to expend to carry out the activities for which a grant is awarded under this section in kind, fairly evaluated, including plant, equipment, or services.

(f) USE OF GRANT.—A grantee under this section shall use the grant in accordance with the approved application for the grant.

[(g) RESERVATIONS OF FUNDS.—]

[(1) EVALUATION.—The Secretary shall reserve 3 percent of the funds made available under subsection (h) for each fiscal year for the conduct of a rigorous evaluation of the activities funded with grants under this section.]

[(2) TECHNICAL ASSISTANCE.—The Secretary may reserve]

(g) *RESERVATION OF FUNDS FOR TECHNICAL ASSISTANCE.—The Secretary may reserve 2 percent of the funds made available under [subsection (h)] section 437(b)(6) for each fiscal year to provide technical assistance to recipients of grants under this section.*

[(h) APPROPRIATION.—Out of any money in the Treasury of the United States not otherwise appropriated, there are appropriated to the Secretary for purposes of making grants under this section \$15,000,000 for each of fiscal years 2009 through 2014.]

PAYMENTS TO INDIAN TRIBAL ORGANIZATIONS

SEC. 428. [(a) The Secretary may, in appropriate cases (as determined by the Secretary) make payments under this subpart directly to an Indian tribal organization within any State which has a plan for child welfare services approved under this subpart. Such payments shall be made in such manner and in such amounts as the Secretary determines to be appropriate.

[(b) Amounts paid under subsection (a) shall be deemed to be a part of the allotment (as determined under section 423) for the State in which such Indian tribal organization is located.]

(a) *RESERVATION OF FUNDS; DIRECT PAYMENTS.*—*Out of any amount appropriated pursuant to section 425 for a fiscal year, the Secretary shall reserve 3 percent for grants to Indian tribes and tribal organizations, which shall be paid directly to Indian tribes and tribal organizations with a plan approved under this subpart, in accordance with section 433(a).*

(b) *AUTHORITY TO STREAMLINE REPORTING REQUIREMENTS.*—*The Secretary shall, in consultation with the affected Indian tribes, modify any reporting requirement imposed by or under this part on an Indian tribe, tribal organization, or tribal consortium if the total of the amounts allotted to the Indian tribe, tribal organization, or tribal consortium under this part for the fiscal year is not more than \$50,000, and in a manner that limits the administrative burden on any tribe to which not more than \$50,000 is allotted under this subpart for the fiscal year.*

(c) *TRIBAL AUTHORITY TO SUBSTITUTE THE FEDERAL NEGOTIATED INDIRECT COST RATE FOR ADMINISTRATIVE COSTS CAP.*—*For purposes of sections 422(b)(14) and 424(e), an Indian tribal organization may elect to have the weighted average of the indirect cost rates in effect under part 220 of title 2, Code of Federal Regulations with respect to the administrative costs of the Indian tribal organization apply in lieu of the percentage specified in each such section.*

[(c)] (d) For purposes of this section, the terms “Indian tribe” and “tribal organization” shall have the meanings given such terms by subsections (e) and (l) of section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. [450b] 5304), respectively.

* * * * *

SEC. 429B. EFFECTIVE IMPLEMENTATION OF THE INDIAN CHILD WELFARE ACT OF 1978.

(a) *IN GENERAL.*—*Not later than October 1, 2025, the Secretary, in consultation with Indian tribal organizations and States, shall develop a plan and provide technical assistance supporting effective implementation of the Indian Child Welfare Act of 1978, including specific measures identified in State plans as required by section 422(b)(9) of this Act. The technical assistance plan shall be based on data sufficient to assess State strengths and areas for improvement in implementing Federal standards established under the Indian Child Welfare Act of 1978, including, at a minimum, the following:*

- (1) *Timely identification of Indian children and extended family members.*
- (2) *Timely tribal notice of State child custody proceedings involving an Indian child.*

(3) *Reports of cases in which a transfer of jurisdiction (as defined under the Indian Child Welfare Act of 1978) was granted or was not granted, and reasons specified for denial in cases where transfer was denied.*

(4) *In cases in which a State court orders a foster care placement of an Indian child, whether requirements for active efforts to prevent the breakup of the Indian family, testimony of a qualified expert witness, and evidentiary standards were met.*

(5) *Whether an Indian child was placed in a placement that is required to be preferred under the Indian Child Welfare Act of 1978, and if not, the reasons specified.*

(6) *In cases in which a State court orders the termination of parental rights to an Indian child, whether requirements for active efforts to prevent the breakup of the Indian family, testimony of a qualified expert witness, and evidentiary standards were met.*

(b) **INTERAGENCY COORDINATION.**—*On request of the Secretary, the Secretary of the Interior shall provide the Secretary with such guidance and assistance as may be necessary to facilitate informing States and public child welfare agencies on how to comply with the Indian Child Welfare Act of 1978, including specific measures identified in State plans as required by section 422(b)(9) of this Act.*

(c) **BIENNIAL REPORTS TO CONGRESS.**—*The Secretary shall biennially submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a written report on how—*

(1) *the States are complying with the Indian Child Welfare Act of 1978 and section 422(b)(9) of this Act, as informed by data collected under this section; and*

(2) *the Secretary is assisting States and Indian tribes to improve implementation of Federal standards established under the Indian Child Welfare Act of 1978.*

Subpart 2—Marylee Allen Promoting Safe and Stable Families Program

* * * * *

SEC. 431. DEFINITIONS.

(a) **IN GENERAL.**—As used in this subpart:

(1) **FAMILY PRESERVATION SERVICES.**—The term “family preservation services” means services for **children** *children, youth, and families* designed to help families (including **adoptive and extended** *kinship and adoptive* families) at risk or in crisis, including—

(A) service programs designed to help children—

(i) where safe and appropriate, return to families from which they have been removed; or

(ii) be placed for adoption, with a legal guardian, or, if adoption or legal guardianship is determined not to be safe and appropriate for a child, in some other planned, permanent living arrangement;

(B) preplacement preventive services programs, such as intensive family preservation programs, designed to help

children at risk of foster care placement remain safely with their families;

(C) service programs designed to provide followup care to families to whom a child has been returned after a foster care placement;

(D) respite care of children to provide temporary relief for **[**parents and other caregivers (including foster parents)**]** *parents, kinship caregivers, and foster parents*;

(E) services designed to improve parenting skills (by reinforcing parents' confidence in their strengths, and helping them to identify where improvement is needed and to obtain assistance in improving those skills) with respect to matters such as child development, family budgeting, coping with stress, health, and nutrition; **[and]**

(F) infant safe haven programs to provide a way for a parent to safely relinquish a newborn infant at a safe haven designated pursuant to a State law**[.]**;

(G)(i) *peer-to-peer mentoring and support programs with demonstrated experience fostering constructive relationships between children and families and mentors with relevant lived experience or interactions with the child welfare system*; and

(ii) *for purposes of this subpart, an expenditure for a service described in clause (i) may be treated as an expenditure for any 1 or more of family support services, family preservation services, family reunification services, or adoption promotion and support services, as long as the expenditure is related to serving the children and families in the specified category and consistent with the overall purpose of the category*; and

(H)(i) *services providing nonrecurring short term benefits (including supports related to housing instability, utilities, transportation, and food assistance, among other basic needs) that address immediate needs related to a specific crisis, situation, or event affecting the ability of a child to remain in a home established for the child that is not intended to meet an ongoing need*; and

(ii) *for purposes of this subpart, an expenditure for a service described in clause (i) may be treated as an expenditure for any 1 or more of family support services, family preservation services, family reunification services, or adoption promotion and support services as long as the expenditure is related to serving the children and families in the specified category and consistent with the overall purpose of the category*.

(2) FAMILY SUPPORT SERVICES.—

(A) IN GENERAL.—The term “family support services” means community-based services, *including services provided by family resource centers*, designed to carry out the purposes described in subparagraph (B).

(B) PURPOSES DESCRIBED.—The purposes described in this subparagraph are the following:

(i) To promote the safety and well-being of **[**children**]** *children, youth, and families*.

(ii) To increase the strength and stability of families (including adoptive, foster, and **extended** *kinship* families).

(iii) To support and retain foster families so they can provide quality family-based settings for children in foster care.

(iv) To increase parents' confidence and competence in their parenting abilities.

(v) To afford children a safe, stable, and supportive family environment.

(vi) To strengthen parental relationships and promote healthy marriages.

(vii) To enhance child development, including through mentoring **[(as defined in section 439(b)(2))]**.

(3) STATE AGENCY.—The term “State agency” means the State agency responsible for administering the program under subpart 1.

(4) STATE.—The term “State” includes an Indian tribe or tribal organization, in addition to the meaning given such term for purposes of subpart 1.

(5) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section **[428(c)] 428(d)**.

(6) TRIBAL ORGANIZATION.—The term “tribal organization” has the meaning given the term in section **[428(c)] 428(d)**.

(7) FAMILY REUNIFICATION SERVICES.—

(A) IN GENERAL.—The term “family reunification services” means the services and activities described in subparagraph (B) that are provided to a child that is removed from the child's home and placed *with kinship caregivers* or in a foster family home or a child care institution or a child who has been returned home and to the parents or primary caregiver of such a child, in order to facilitate the reunification of the child safely and appropriately within a timely fashion and to ensure the strength and stability of the reunification. In the case of a child who has been returned home, the services and activities shall only be provided during the 15-month period that begins on the date that the child returns home.

(B) SERVICES AND ACTIVITIES DESCRIBED.—The services and activities described in this subparagraph are the following:

- (i) Individual, group, and family counseling.
- (ii) Inpatient, residential, or outpatient substance abuse treatment services.
- (iii) Mental health services.
- (iv) Assistance to address domestic violence.
- (v) Services designed to provide temporary child care and therapeutic services for families, including crisis nurseries.
- (vi) Peer-to-peer mentoring and support groups for parents and primary caregivers.
- (vii) Services and activities designed to facilitate access to and visitation of children by parents and siblings.

(viii) Transportation to or from any of the services and activities described in this subparagraph.

(8) ADOPTION PROMOTION AND SUPPORT SERVICES.—The term “adoption promotion and support services” means services and activities designed to encourage more adoptions out of the foster care system, when adoptions promote the best interests of children, including such activities as pre- and post-adoptive services and activities designed to expedite the adoption process and support adoptive families.

(9) NON-FEDERAL FUNDS.—The term “non-Federal funds” means State funds, or at the option of a State, State and local funds.

(10) FAMILY RESOURCE CENTER.—

(A) IN GENERAL.—The term “family resource center” means a community or school-based hub of support services for families that—

(i) utilizes an approach that is multi-generational, strengths-based, and family-centered;

(ii) reflects, and is responsive to, community needs and interests;

(iii) provides support at no or low cost for participants; and

(iv) builds communities of peer support for families, including kinship families, to develop social connections that reduce isolation and stress.

(B) SPECIAL RULE.—For purposes of this subpart, an expenditure for a service provided by a family resource center may be treated as an expenditure for any 1 or more of family support services, family preservation services, family reunification services, or adoption promotion and support services as long as the expenditure is related to serving the children and families in the specified category and consistent with the overall purpose of the category.

(11) YOUTH.—The term “youth” means an individual who has not attained 26 years of age.

(12) MENTORING.—The term “mentoring” means a structured, managed program in which children are appropriately matched with screened and trained adult volunteers for one on-one relationships, involving meetings and activities on a regular basis, intended to meet, in part, the child’s need for involvement with a caring and supportive adult who provides a positive role model.

(b) OTHER TERMS.—For other definitions of other terms used in this subpart, see section 475.

(c) USE OF TECHNOLOGY.—

(1) USE OF PORTAL.—The services referred to in subsection (a) may include the means of access to and use of an electronic or digital portal to facilitate the provision of community support to care for and meet specific needs of families and children.

(2) LIMITATION.—Such a portal shall not retain or share personally identifiable information about a beneficiary without consent or for any purpose other than referral.

SEC. 432. STATE PLANS.

(a) PLAN REQUIREMENTS.—A State plan meets the requirements of this subsection if the plan—

(1) provides that the State agency shall administer, or supervise the administration of, the State program under this subpart;

(2)(A)(i) sets forth the goals intended to be accomplished under the plan by the end of the 5th fiscal year in which the plan is in operation in the State, and (ii) is updated periodically to set forth the goals intended to be accomplished under the plan by the end of each 5th fiscal year thereafter;

(B) describes the methods to be used in measuring progress toward accomplishment of the goals;

(C) contains assurances that the State—

(i) after the end of each of the 1st 4 fiscal years covered by a set of goals, will perform an interim review of progress toward accomplishment of the goals, and on the basis of the interim review will revise the statement of goals in the plan, if necessary, to reflect changed circumstances; and

(ii) after the end of the last fiscal year covered by a set of goals, will perform a final review of progress toward accomplishment of the goals, and on the basis of the final review (I) will prepare, transmit to the Secretary, and make available to the public a final report on progress toward accomplishment of the goals, and (II) will develop (in consultation with the entities required to be consulted pursuant to subsection (b)) and add to the plan a statement of the goals intended to be accomplished by the end of the 5th succeeding fiscal year;

(3) provides for coordination, to the extent feasible and appropriate, of the provision of services under the plan and the provision of services or benefits under other Federal or federally assisted programs serving the same populations;

(4) contains assurances that not more than 10 percent of expenditures under the plan for any fiscal year with respect to which the State is eligible for payment under section 434 for the fiscal year shall be for administrative costs, and that the remaining expenditures shall be for programs of family preservation services, community-based family support services, family reunification services, and adoption promotion and support services, with significant portions of such expenditures for each such program;

(5) contains assurances that the State will—

(A) annually prepare, furnish to the Secretary, and make available to the public a description (including separate descriptions with respect to family preservation services, community-based family support services, family reunification services, and adoption promotion and support services) of—

(i) the service programs to be made available under the plan in the immediately succeeding fiscal year;

(ii) the populations which the programs will serve; and

(iii) the geographic areas in the State in which the services will be available; and

(B) perform the activities described in subparagraph

(A)—

(i) in the case of the 1st fiscal year under the plan, at the time the State submits its initial plan; and

(ii) in the case of each succeeding fiscal year, by the end of the 3rd quarter of the immediately preceding fiscal year;

(6) provides for such methods of administration as the Secretary finds to be necessary for the proper and efficient operation of the plan;

(7)(A) contains assurances that Federal funds provided to the State under this subpart will not be used to supplant Federal or non-Federal funds for existing services and activities which promote the purposes of this subpart; and

(B) provides that the State will furnish reports to the Secretary, at such times, in such format, and containing such information as the Secretary may require, that demonstrate the State's compliance with the prohibition contained in subparagraph (A);

(8)(A) provides that the State agency will furnish such reports, containing such information, and participate in such evaluations, as the Secretary may require; and

(B) provides that, not later than June 30 of each year, the State will submit to the Secretary—

(i) copies of form CFS-101 (including all parts and any successor forms) that report on planned child and family services expenditures by the agency for the immediately succeeding fiscal year; and

(ii) copies of form CFS-101 (including all parts and any successor forms) that provide, with respect to the programs authorized under this subpart and subpart 1 and, at State option, other programs included on such forms, for the most recent preceding fiscal year for which reporting of actual expenditures is complete—

(I) the numbers of families and of children served by the State agency;

(II) the population served by the State agency;

(III) the geographic areas served by the State agency; and

(IV) the actual expenditures of funds provided to the State agency;

(9) contains assurances that in administering and conducting service programs under the plan, the safety of the children to be served shall be of paramount concern; **[and]**

(10) describes how the State identifies which populations are at the greatest risk of maltreatment and how services are targeted to the populations~~...~~; and

(11) *provides a description of policies in place, including training for employees, to address child welfare reports and investigations of neglect concerning the living arrangements or subsistence needs of a child with the goal to prevent the separation of a child from a parent of the child solely due to poverty, to ensure access to services described in section 431(a)(1)(H).*

(b) APPROVAL OF PLANS.—

[(1) IN GENERAL.—The Secretary shall approve a plan that meets the requirements of subsection (a) only if the plan was developed jointly by the Secretary and the State, after con-

sultation by the State agency with appropriate public and non-profit private agencies and community-based organizations with experience in administering programs of services for children and families (including family preservation, family support, family reunification, and adoption promotion and support services).】

(1) *IN GENERAL.*—*The Secretary shall approve a plan that meets the requirements of subsection (a) only if—*

(A) *the plan was developed jointly by the Secretary and the State, and the State, in developing the plan, consulted with—*

- (i) *appropriate public and nonprofit private agencies;*
- (ii) *community-based organizations involved in providing services for children and families in the areas of family preservation, family support, family reunification, foster care, kinship, and adoption promotion and support;*
- (iii) *parents with child welfare experience, foster parents, adoptive parents, and kinship caregivers; and*
- (iv) *children, youth, and young adults with experience in the child welfare system, including State boards and councils comprised of youth with lived experience who represent the diversity of children in the State to whom the plan would apply; and*

(B) *the State has made publicly accessible on a website of the State agency a report that outlines how the State has implemented the suggestions of the children and youth referred to in subparagraph (A)(iv).*

(2) *PLANS OF INDIAN TRIBES OR TRIBAL CONSORTIA.*—

(A) *EXEMPTION FROM INAPPROPRIATE REQUIREMENTS.*—

The Secretary may exempt a plan submitted by an Indian tribe or tribal consortium from the requirements of subsection (a)(4) of this section to the extent that the Secretary determines those requirements would be inappropriate to apply to the Indian tribe or tribal consortium, taking into account the resources, needs, and other circumstances of the Indian tribe or tribal consortium.

(B) *SPECIAL RULE.*—Notwithstanding subparagraph (A) of this paragraph, the Secretary may not approve a plan of an Indian tribe or tribal consortium under this subpart to which (but for this subparagraph) an allotment of less than \$10,000 would be made under 【section 433(a)】 *sections 433(a) and 437(c)(1) combined* if allotments were made under 【section 433(a)】 *such sections* to all Indian tribes and tribal consortia with plans approved under this subpart with the same or larger numbers of children.

(c) *ANNUAL SUBMISSION OF STATE REPORTS TO CONGRESS.*—

(1) *IN GENERAL.*—The Secretary shall compile the reports required under subsection (a)(8)(B) and, not later than September 30 of each year, submit such compilation to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate.

(2) *INFORMATION TO BE INCLUDED.*—The compilation shall include the individual State reports and tables that synthesize State information into national totals for each element re-

quired to be included in the reports, including planned and actual spending by service category for the program authorized under this subpart and planned spending by service category for the program authorized under subpart 1.

(3) PUBLIC ACCESSIBILITY.—Not later than September 30 of each year, the Secretary shall publish the compilation on the website of the Department of Health and Human Services in a location easily accessible by the public.

SEC. 433. ALLOTMENTS TO STATES.

(a) INDIAN TRIBES OR TRIBAL CONSORTIA.—From the amount reserved pursuant to section [436(b)(3)] 436(b)(2) for any fiscal year, the Secretary shall allot to each Indian tribe with a plan approved under this subpart an amount that bears the same ratio to such reserved amount as the number of children in the Indian tribe bears to the total number of children in all Indian tribes with State plans so approved, as determined by the Secretary on the basis of the most current and reliable information available to the Secretary. If a consortium of Indian tribes submits a plan approved under this subpart, the Secretary shall allot to the consortium an amount equal to the sum of the allotments determined for each Indian tribe that is part of the consortium.

(b) TERRITORIES.—From the amount described in section 436(a) for any fiscal year that remains after applying section 436(b) for the fiscal year, the Secretary shall allot to each of the jurisdictions of Puerto Rico, Guam, the Virgin Islands, the Northern Mariana Islands, and American Samoa an amount determined in the same manner as the allotment to each of such jurisdictions is determined under section 423.

(c) OTHER STATES.—

(1) IN GENERAL.—From the amount described in section 436(a) for any fiscal year that remains after applying section 436(b) and subsection (b) of this section for the fiscal year, the Secretary shall allot to each State (other than an Indian tribe) which is not specified in subsection (b) of this section an amount equal to such remaining amount multiplied by the supplemental nutrition assistance program benefits percentage of the State for the fiscal year.

(2) SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM BENEFITS PERCENTAGE DEFINED.—

(A) IN GENERAL.—As used in paragraph (1) of this subsection, the term “supplemental nutrition assistance program benefits percentage” means, with respect to a State and a fiscal year, the average monthly number of children receiving supplemental nutrition assistance program benefits in the State for months in the 3 fiscal years referred to in subparagraph (B) of this paragraph, as determined from sample surveys made under section 16(c) of the Food and Nutrition Act of 2008, expressed as a percentage of the average monthly number of children receiving supplemental nutrition assistance program benefits in the States described in such paragraph (1) for months in such 3 fiscal years, as so determined.

(B) FISCAL YEARS USED IN CALCULATION.—For purposes of the calculation pursuant to subparagraph (A), the Secretary shall use data for the 3 most recent fiscal years,

preceding the fiscal year for which the State's allotment is calculated under this subsection, for which such data are available to the Secretary.

(d) REALLOTMENTS.—The amount of any allotment to a State under subsection (a), (b), or (c) of this section for any fiscal year that the State certifies to the Secretary will not be required for carrying out the State plan under section 432 shall be available for reallocation using the allotment methodology specified in subsection (a), (b), or (c) of this section. Any amount so reallocated to a State is deemed part of the allotment of the State under the preceding provisions of this section.

(e) ALLOTMENT OF FUNDS RESERVED TO SUPPORT MONTHLY CASEWORKER VISITS.—

[(1) TERRITORIES.—From the amount reserved pursuant to section 436(b)(4)(A) for any fiscal year, the Secretary shall allot to each jurisdiction specified in subsection (b) of this section, that has provided to the Secretary such documentation as may be necessary to verify that the jurisdiction has complied with section 436(b)(4)(B)(ii) during the fiscal year, an amount determined in the same manner as the allotment to each of such jurisdictions is determined under section 423 (without regard to the initial allotment of \$70,000 to each State).

[(2) OTHER STATES.—From the amount reserved pursuant to section 436(b)(4)(A) for any fiscal year that remains after applying paragraph (1) of this subsection for the fiscal year, the Secretary shall allot to each State (other than an Indian tribe) not specified in subsection (b) of this section, that has provided to the Secretary such documentation as may be necessary to verify that the State has complied with section 436(b)(4)(B)(ii) during the fiscal year, an amount equal to such remaining amount multiplied by the supplemental nutrition assistance program benefits percentage of the State (as defined in subsection (c)(2) of this section) for the fiscal year, except that in applying subsection (c)(2)(A) of this section, “subsection (e)(2)” shall be substituted for “such paragraph (1)”.]

(1) BASE ALLOTMENT.—From the amount reserved pursuant to section 436(b)(3)(A) for any fiscal year, the Secretary shall first allot to each State (other than an Indian tribe) that has provided to the Secretary such documentation as may be necessary to verify that the jurisdiction has complied with section 436(b)(4)(B)(ii) during the fiscal year, a base allotment of \$100,000, and shall then allot to each of those States an amount determined in paragraph (2) or (3) of this subsection, as applicable.

(2) TERRITORIES.—From the amount reserved pursuant to section 436(b)(3)(A) for any fiscal year that remains after applying paragraph (1) of this subsection for the fiscal year, the Secretary shall allot to each jurisdiction specified in subsection (b) of this section to which a base allotment is made under such paragraph (1) an amount determined in the same manner as the allotment to each of such jurisdictions is determined under section 423 (without regard to the initial allotment of \$70,000 to each State).

(3) OTHER STATES.—From the amount reserved pursuant to section 436(b)(3)(A) for any fiscal year that remains after apply-

ing paragraphs (1) and (2) of this subsection for the fiscal year, the Secretary shall allot to each State (other than an Indian tribe) not specified in subsection (b) of this section to which a base allotment was made under paragraph (1) of this subsection an amount equal to such remaining amount multiplied by the supplemental nutrition assistance program benefits percentage of the State (as defined in subsection (c)(2) of this section) for the fiscal year, except that in applying subsection (c)(2)(A) of this section, “subsection (e)(3)” shall be substituted for “such paragraph (1)”.

SEC. 434. PAYMENTS TO STATES.

(a) **ENTITLEMENT.**—Each State that has a plan approved under section 432 shall, subject to subsection (d), be entitled to payment of the sum of—

(1) the lesser of—

(A) 75 percent of the total expenditures by the State for activities under the plan during the fiscal year or the immediately succeeding fiscal year; or

(B) the allotment of the State under subsection (a), (b), or (c) of section 433, whichever is applicable, for the fiscal year; and

(2) the lesser of—

(A) 75 percent of the total expenditures by the State in accordance with section ~~436(b)(4)(B)~~ 436(b)(3)(B) during the fiscal year or the immediately succeeding fiscal year; or

(B) the allotment of the State under section 433(e) for the fiscal year.

(b) **PROHIBITIONS.**—

(1) **NO USE OF OTHER FEDERAL FUNDS FOR STATE MATCH.**—

Each State receiving an amount paid under subsection (a) may not expend any Federal funds to meet the costs of services under the State plan under section 432 not covered by the amount so paid.

(2) **AVAILABILITY OF FUNDS.**—A State may not expend any amount paid under subsection (a) for any fiscal year after the end of the immediately succeeding fiscal year.

(c) **DIRECT PAYMENTS TO TRIBAL ORGANIZATIONS OF INDIAN TRIBES OR TRIBAL CONSORTIA.**—The Secretary shall pay any amount to which an Indian tribe or tribal consortium is entitled under this section directly to the tribal organization of the Indian tribe or in the case of a payment to a tribal consortium, such tribal organizations of, or entity established by, the Indian tribes that are part of the consortium as the consortium shall designate.

(d) **LIMITATION ON REIMBURSEMENT FOR ADMINISTRATIVE COSTS.**—The Secretary shall not make a payment to a State under this section with respect to expenditures for administrative costs during a fiscal year, to the extent that the total amount of the expenditures exceeds 10 percent of the total expenditures of the State during the fiscal year under the State plan approved under section 432.

SEC. 435. EVALUATIONS; RESEARCH; TECHNICAL ASSISTANCE.

(a) **EVALUATIONS.**—

(1) **IN GENERAL.**—The Secretary shall evaluate and report to the Congress biennially on the effectiveness of the programs carried out pursuant to this subpart in accomplishing the purposes of this subpart, and may evaluate any other Federal, State, or local program, regardless of whether federally assisted, that is designed to achieve the same purposes as the program under this subpart, in accordance with criteria established in accordance with paragraph (2).

(2) **CRITERIA TO BE USED.**—In developing the criteria to be used in evaluations under paragraph (1), the Secretary shall consult with appropriate parties, such as—

(A) State agencies administering programs under this part and part E;

(B) persons administering child and family services programs (including family preservation and family support programs) for private, nonprofit organizations with an interest in child welfare *including community-based partners with expertise in preventing unnecessary child welfare system involvement*; and

(C) other persons with recognized expertise in the evaluation of child and family services programs (including family preservation and family support programs) or other related programs.

(3) **TIMING OF REPORT.**—Beginning in 2003, the Secretary shall submit the biennial report required by this subsection not later than April 1 of every other year, and shall include in each such report the funding level, the status of ongoing evaluations, findings to date, and the nature of any technical assistance provided to States under subsection (d).

(b) **COORDINATION OF EVALUATIONS.**—The Secretary shall develop procedures to coordinate evaluations under this section, to the extent feasible, with evaluations by the States of the effectiveness of programs under this subpart.

[(c) **EVALUATION, RESEARCH, AND TECHNICAL ASSISTANCE WITH RESPECT TO TARGETED PROGRAM RESOURCES.**—Of the amount reserved under section 436(b)(1) for a fiscal year, the Secretary shall use not less than—

[(1) \$1,000,000 for evaluations, research, and providing technical assistance with respect to supporting monthly caseworker visits with children who are in foster care under the responsibility of the State, in accordance with section 436(b)(4)(B)(i); and

[(2) \$1,000,000 for evaluations, research, and providing technical assistance with respect to grants under section 437(f).]

(c) **EVALUATION, RESEARCH, AND TECHNICAL ASSISTANCE WITH RESPECT TO TARGETED PROGRAM RESOURCES.**—Of the amount reserved under section 437(b)(1) for a fiscal year, the Secretary shall use not less than—

(1) \$1,000,000 for technical assistance to grantees under section 437(f) and to support design of local site evaluations with the goal of publishing and submitting evaluation findings to the clearinghouse established under section 476(d), or to award grants to allow current or former grantees under section 437(f) to analyze, publish, and submit to the clearinghouse data collected during past grants; and

(2) *\$1,000,000 for technical assistance required under section 429B of this Act to support effective implementation of the Indian Child Welfare Act of 1978 and to support development of associated State plan measures described pursuant to section 422(b)(9) of this Act.*

(d) TECHNICAL ASSISTANCE.—To the extent funds are available therefor, the Secretary shall provide technical assistance that helps States and Indian tribes or tribal consortia to—

(1) develop research-based protocols for identifying families at risk of abuse and neglect of use in the field;

(2) develop treatment models that address the needs of families at risk, particularly families with substance abuse issues;

(3) implement programs with well-articulated theories of how the intervention will result in desired changes among families at risk;

(4) establish mechanisms to ensure that service provision matches the treatment model; [and]

(5) establish mechanisms to ensure that postadoption services meet the needs of the individual families and develop models to reduce the disruption rates of adoption[.]; and

(6) *use grants under section 437(f) in coordination with other Federal funds to better serve families in the child welfare system that are affected by a substance use disorder.*

(e) FAMILY RECOVERY AND REUNIFICATION PROGRAM REPLICATION PROJECT.—

(1) PURPOSE.—The purpose of this subsection is to provide resources to the Secretary to support the conduct and evaluation of a family recovery and reunification program replication project (referred to in this subsection as the “project”) and to determine the extent to which such programs may be appropriate for use at different intervention points (such as when a child is at risk of entering foster care or when a child is living with a guardian while a parent is in treatment). The family recovery and reunification program conducted under the project shall use a recovery coach model that is designed to help reunify families and protect children by working with parents or guardians with a substance use disorder who have temporarily lost custody of their children.

(2) PROGRAM COMPONENTS.—The family recovery and reunification program conducted under the project shall adhere closely to the elements and protocol determined to be most effective in other recovery coaching programs that have been rigorously evaluated and shown to increase family reunification and protect children and, consistent with such elements and protocol, shall provide such items and services as—

(A) assessments to evaluate the needs of the parent or guardian;

(B) assistance in receiving the appropriate benefits to aid the parent or guardian in recovery;

(C) services to assist the parent or guardian in prioritizing issues identified in assessments, establishing goals for resolving such issues that are consistent with the goals of the treatment provider, child welfare agency, courts, and other agencies involved with the parent or

guardian or their children, and making a coordinated plan for achieving such goals;

(D) home visiting services coordinated with the child welfare agency and treatment provider involved with the parent or guardian or their children;

(E) case management services to remove barriers for the parent or guardian to participate and continue in treatment, as well as to re-engage a parent or guardian who is not participating or progressing in treatment;

(F) access to services needed to monitor the parent's or guardian's compliance with program requirements;

(G) frequent reporting between the treatment provider, child welfare agency, courts, and other agencies involved with the parent or guardian or their children to ensure appropriate information on the parent's or guardian's status is available to inform decision-making; and

(H) assessments and recommendations provided by a recovery coach to the child welfare caseworker responsible for documenting the parent's or guardian's progress in treatment and recovery as well as the status of other areas identified in the treatment plan for the parent or guardian, including a recommendation regarding the expected safety of the child if the child is returned to the custody of the parent or guardian that can be used by the caseworker and a court to make permanency decisions regarding the child.

(3) RESPONSIBILITIES OF THE SECRETARY.—

(A) IN GENERAL.—The Secretary shall, through a grant or contract with 1 or more entities, conduct and evaluate the family recovery and reunification program under the project.

(B) REQUIREMENTS.—In identifying 1 or more entities to conduct the evaluation of the family recovery and reunification program, the Secretary shall—

(i) determine that the area or areas in which the program will be conducted have sufficient substance use disorder treatment providers and other resources (other than those provided with funds made available to carry out the project) to successfully conduct the program;

(ii) determine that the area or areas in which the program will be conducted have enough potential program participants, and will serve a sufficient number of parents or guardians and their children, so as to allow for the formation of a control group, evaluation results to be adequately powered, and preliminary results of the evaluation to be available within 4 years of the program's implementation;

(iii) provide the entity or entities with technical assistance for the program design, including by working with 1 or more entities that are or have been involved in recovery coaching programs that have been rigorously evaluated and shown to increase family reunification and protect children so as to make sure the program conducted under the project adheres closely to

the elements and protocol determined to be most effective in such other recovery coaching programs;

(iv) assist the entity or entities in securing adequate coaching, treatment, child welfare, court, and other resources needed to successfully conduct the family recovery and reunification program under the project; and

(v) ensure the entity or entities will be able to monitor the impacts of the program in the area or areas in which it is conducted for at least 5 years after parents or guardians and their children are randomly assigned to participate in the program or to be part of the program's control group.

(4) EVALUATION REQUIREMENTS.—

(A) IN GENERAL.—The Secretary, in consultation with the entity or entities conducting the family recovery and reunification program under the project, shall conduct an evaluation to determine whether the program has been implemented effectively and resulted in improvements for children and families. The evaluation shall have 3 components: a pilot phase, an impact study, and an implementation study.

(B) PILOT PHASE.—The pilot phase component of the evaluation shall consist of the Secretary providing technical assistance to the entity or entities conducting the family recovery and reunification program under the project to ensure—

(i) the program's implementation adheres closely to the elements and protocol determined to be most effective in other recovery coaching programs that have been rigorously evaluated and shown to increase family reunification and protect children; and

(ii) random assignment of parents or guardians and their children to be participants in the program or to be part of the program's control group is being carried out.

(C) IMPACT STUDY.—The impact study component of the evaluation shall determine the impacts of the family recovery and reunification program conducted under the project on the parents and guardians and their children participating in the program. The impact study component shall—

(i) be conducted using an experimental design that uses a random assignment research methodology;

(ii) consistent with previous studies of other recovery coaching programs that have been rigorously evaluated and shown to increase family reunification and protect children, measure outcomes for parents and guardians and their children over multiple time periods, including for a period of 5 years; and

(iii) include measurements of family stability and parent, guardian, and child safety for program participants and the program control group that are consistent with measurements of such factors for participants and control groups from previous studies of

other recovery coaching programs so as to allow results of the impact study to be compared with the results of such prior studies, including with respect to comparisons between program participants and the program control group regarding—

- (I) safe family reunification;
- (II) time to reunification;
- (III) permanency (such as through measures of reunification, adoption, or placement with guardians);
- (IV) safety (such as through measures of subsequent maltreatment);
- (V) parental or guardian treatment persistence and engagement;
- (VI) parental or guardian substance use;
- (VII) juvenile delinquency;
- (VIII) cost; and
- (IX) other measurements agreed upon by the Secretary and the entity or entities operating the family recovery and reunification program under the project.

(D) IMPLEMENTATION STUDY.—The implementation study component of the evaluation shall be conducted concurrently with the conduct of the impact study component and shall include, in addition to such other information as the Secretary may determine, descriptions and analyses of—

- (i) the adherence of the family recovery and reunification program conducted under the project to other recovery coaching programs that have been rigorously evaluated and shown to increase family reunification and protect children; and
- (ii) the difference in services received or proposed to be received by the program participants and the program control group.

(E) REPORT.—The Secretary shall publish on an internet website maintained by the Secretary the following information:

- (i) A report on the pilot phase component of the evaluation.
- (ii) A report on the impact study component of the evaluation.
- (iii) A report on the implementation study component of the evaluation.
- (iv) A report that includes—

- (I) analyses of the extent to which the program has resulted in increased reunifications, increased permanency, case closures, net savings to the State or States involved (taking into account both costs borne by States and the Federal government), or other outcomes, or if the program did not produce such outcomes, an analysis of why the replication of the program did not yield such results;

(II) if, based on such analyses, the Secretary determines the program should be replicated, a replication plan; and

(III) such recommendations for legislation and administrative action as the Secretary determines appropriate.

(5) APPROPRIATION.—In addition to any amounts otherwise made available to carry out this subpart, out of any money in the Treasury of the United States not otherwise appropriated, there are appropriated \$15,000,000 for fiscal year 2019 to carry out the project, which shall remain available through fiscal year 2026.

(f) PREVENTION SERVICES EVALUATION PARTNERSHIPS.—

(1) PURPOSE.—*The purpose of this subsection is to authorize the Secretary to make competitive grants to support the timely evaluation of—*

(A) services and programs described in section 471(e); or

(B) kinship navigator programs described in section 474(a)(7).

(2) GRANTS.—*In accordance with applications approved under this subsection, the Secretary may make grants, on a competitive basis, to eligible entities to carry out projects designed to evaluate a service or program provided by the eligible entity, or an entity in partnership with the eligible entity, with respect to the requirements for a promising practice, supported practice, or well-supported practice described in section 471(e)(4)(C).*

(3) APPLICATIONS.—

(A) IN GENERAL.—*An eligible entity may apply to the Secretary for a grant under this subsection to carry out a project that meets the following requirements:*

(i) The project is designed in accordance with paragraph (2).

(ii) The project is to be carried out by the applicant in partnership with—

(I) a State agency that administers, or supervises the administration of, the State plan approved under part E, or an agency administering the plan under the supervision of the State agency; and

(II) if the applicant is unable or unwilling to do so, at least 1 external evaluator to carry out the evaluation of the service or program provided by the applicant.

(B) CONTENTS.—*The application shall contain the following:*

(i) A description of the project, including—

(I) a statement explaining why a grant is necessary to carry out the project; and

(II) the amount of grant funds that would be disbursed to each entity described in subparagraph (A)(ii) in partnership with the applicant.

(ii) A certification from each entity described in subparagraph (A)(ii) that provides assurances that the individual or entity is in partnership with the applicant and will fulfill the responsibilities of the entity speci-

fied in the description provided pursuant to clause (i) of this subparagraph.

(iii) A certification from the applicant that provides assurances that the applicant intends to comply with subparagraph (A)(ii)(II), if applicable.

(iv) At the option of the eligible entity, a certification from the applicant that the applicant requires an external evaluator secured by the Secretary pursuant to paragraph (5), if applicable.

(4) PRIORITIES.—In approving applications under this subsection, the Secretary shall prioritize the following:

(A) Addressing, with respect to the clearinghouse of practices described in section 476(d)(2), deficiencies or gaps identified by the Secretary in consultation with—

(i) States, political subdivisions of a State, and tribal communities carrying out, or receiving the benefits of, a service or program; and

(ii) child welfare experts, including individuals with lived experience.

(B) Maximizing the number of evidence-based services or programs to be included in the clearinghouse of practices described in section 476(d)(2).

(C) Timely completion of evaluations and the production of evidence.

(D) Supporting services or programs that are based on, or are adaptations to new population settings of, a service or program with reliable evidence about the benefits and risks of the service or program.

(5) AVAILABILITY OF EXTERNAL EVALUATORS.—

(A) IN GENERAL.—Before accepting applications under this subsection, the Secretary shall make reasonable efforts to identify at least 1 entity to serve as an external evaluator for any eligible entity that includes a certification under paragraph (3)(B)(iv) with an application under this subsection.

(B) NO EFFECT ON CONSIDERATION OF APPLICATION.—The Secretary may not consider whether an eligible entity is in partnership with an external evaluator described in paragraph (A) in approving an application under this subsection submitted by the eligible entity.

(6) REPORTS.—

(A) BY GRANT RECIPIENTS.—Within 1 year after receiving a grant under this subsection, and every year thereafter for the next 5 years, the grant recipient shall submit to the Secretary a written report on—

(i) the use of grant funds;

(ii) whether the program or service evaluated by the project meets a requirement specified in section 471(e)(4)(C), including information about—

(I) how the program or service is being carried out in accordance with standards specified in the requirement;

(II) any outcomes of the program or service; and

(III) any outcome with respect to which the service or program compares favorably to a comparison practice; and

(iii) whether the Secretary has included the program or service in an update to the clearinghouse of practices described in section 476(d)(2).

(B) *BY THE SECRETARY.*—The Secretary shall submit to the Committee on Ways and Means of the House of Representatives and to the Committee on Finance of the Senate an annual written report on—

(i) the grants awarded under this subsection;

(ii) the programs funded by the grants;

(iii) any technical assistance provided by the Secretary in carrying out this subsection, including with respect to the efforts to secure external evaluators pursuant to paragraph (5); and

(iv) any efforts by the Secretary to support program evaluation and review pursuant to section 471(e) and inclusion of programs in the pre-approved list of services and programs described in section 471(e)(4)(D) or the clearinghouse of practices described in section 476(d)(2).

(7) *FUNDING.*—

(A) *LIMITATIONS.*—Of the amounts available to carry out this subsection, the Secretary may use not more than 5 percent to provide technical assistance.

(B) *CARRYOVER.*—Amounts made available to carry out this subsection shall remain available until expended.

(8) *DEFINITIONS.*—In this subsection:

(A) *ELIGIBLE ENTITY.*—The term “eligible entity” means any of the following providing a service or program or, in the sole determination of the Secretary, able to provide a service or program if awarded a grant under this subsection:

(i) A State, a political subdivision of a State, or an agency or department of a State or political subdivision of a State.

(ii) An entity described in subparagraph (A) or (B) of section 426(a)(1).

(iii) An Indian tribe or tribal organization.

(B) *EXTERNAL EVALUATOR.*—The term “external evaluator” means an entity with the ability and willingness to evaluate a service or program pursuant to paragraph (2) that is not provided by the entity.

(C) *SERVICE OR PROGRAM.*—The term “service or program”—

(i) means a service or program described in section 471(e); and

(ii) includes a kinship navigator program described in section 474(a)(7).

SEC. 436. AUTHORIZATION OF APPROPRIATIONS; RESERVATION OF CERTAIN AMOUNTS.

(a) *AUTHORIZATION.*—In addition to any amount otherwise made available to carry out this subpart, there are authorized to be appropriated to carry out this subpart \$345,000,000 for [each of fiscal

years 2017 through 2023] *fiscal year 2025 and \$420,000,000 for each of fiscal years 2026 through 2029.*

(b) RESERVATION OF CERTAIN AMOUNTS.—From the amount specified in subsection (a) for a fiscal year, the Secretary shall reserve amounts as follows:

[(1) EVALUATION, RESEARCH, TRAINING, AND TECHNICAL ASSISTANCE.—The Secretary shall reserve \$6,000,000 for expenditure by the Secretary—

[(A) for research, training, and technical assistance costs related to the program under this subpart; and

[(B) for evaluation of State programs based on the plans approved under section 432 and funded under this subpart, and any other Federal, State, or local program, regardless of whether federally assisted, that is designed to achieve the same purposes as the State programs.]]

[(2)] (1) STATE COURT IMPROVEMENTS.—The Secretary shall reserve \$30,000,000 for *fiscal year 2025 and \$40,000,000 for fiscal year 2026 and each succeeding fiscal year* for grants under section 438.

[(3)] (2) INDIAN TRIBES OR TRIBAL CONSORTIA.—[After applying paragraphs (4) and (5) (but before applying paragraphs (1) or (2)), the] *The Secretary shall reserve 3 percent for allotment to Indian tribes or tribal consortia in accordance with section 433(a).*

[(4)] (3) SUPPORT FOR MONTHLY CASEWORKER VISITS.—

(A) RESERVATION.—The Secretary shall reserve for allotment in accordance with section 433(e) \$20,000,000 for [each of fiscal years 2017 through 2023] *fiscal year 2025 and \$26,000,000 for fiscal year 2026 and each succeeding fiscal year.*

(B) USE OF FUNDS.—

[(i) IN GENERAL.—A State to which an amount is paid from amounts reserved under subparagraph (A) shall use the amount to improve the quality of monthly caseworker visits with children who are in foster care under the responsibility of the State, with an emphasis on improving caseworker decision making on the safety, permanency, and well-being of foster children and on activities designed to increase retention, recruitment, and training of caseworkers.]]

(i) *IN GENERAL.—A State to which an amount is paid from amounts reserved under subparagraph (A) shall use the amount to improve the quality of monthly caseworker visits with children who are in foster care under the responsibility of the State, with an emphasis on—*

(I) reducing caseload ratios and the administrative burden on caseworkers, to improve caseworker decision making on the safety, permanency, and well-being of foster children and on activities designed to increase retention, recruitment, and training of caseworkers;

(II) implementing technology solutions to streamline caseworker duties and modernize systems, en-

surings improved efficiency and effectiveness in child welfare services;

(III) improving caseworker safety;

(IV) mental health resources to support caseworker well-being, including peer-to-peer support programs; and

(V) recruitment campaigns aimed at attracting qualified caseworker candidates.

(ii) NONSUPPLANTATION.—A State to which an amount is paid from amounts reserved pursuant to subparagraph (A) shall not use the amount to supplant any Federal funds paid to the State under part E that could be used as described in clause (i).

[(5)] (4) REGIONAL PARTNERSHIP GRANTS.—The Secretary shall reserve for awarding grants under section 437(f) \$20,000,000 for [each of fiscal years 2017 through 2023] *fiscal year 2025 and \$30,000,000 for fiscal year 2026 and each succeeding fiscal year.*

(c) SUPPORT FOR FOSTER FAMILY HOMES.—Out of any money in the Treasury of the United States not otherwise appropriated, there are appropriated to the Secretary for fiscal year 2018, \$8,000,000 for the Secretary to make competitive grants to States, Indian tribes, or tribal consortia to support the recruitment and retention of high-quality foster families to increase their capacity to place more children in family settings, focused on States, Indian tribes, or tribal consortia with the highest percentage of children in non-family settings. The amount appropriated under this subparagraph shall remain available through fiscal year 2022.

SEC. 437. DISCRETIONARY AND TARGETED GRANTS.

(a) LIMITATIONS ON AUTHORIZATION OF APPROPRIATIONS.—In addition to any amount appropriated pursuant to section 436, there are authorized to be appropriated to carry out this section \$200,000,000 for each of fiscal years [2017 through 2023] *2025 through 2029.*

(b) RESERVATION OF CERTAIN AMOUNTS.—From the amount (if any) appropriated pursuant to subsection (a) for a fiscal year, the Secretary shall reserve amounts as follows:

(1) EVALUATION, RESEARCH, TRAINING, AND TECHNICAL ASSISTANCE.—The Secretary shall reserve 3.3 percent for expenditure by the Secretary for the activities described in section [436(b)(1)] *435.*

(2) STATE COURT IMPROVEMENTS.—The Secretary shall reserve 3.3 percent for grants under section 438.

(3) INDIAN TRIBES OR TRIBAL CONSORTIA.—The Secretary shall reserve 3 percent for allotment to Indian tribes or tribal consortia in accordance with subsection (c)(1).

(4) IMPROVING THE INTERSTATE PLACEMENT OF CHILDREN.—The Secretary shall reserve \$5,000,000 of the amount made available for fiscal year 2018 for grants under subsection (g), and the amount so reserved shall remain available through fiscal year 2022.

(5) PREVENTIVE SERVICES EVALUATION PARTNERSHIPS.—*The Secretary shall reserve \$5,000,000 for grants under section 435(f) for each of fiscal years 2026 through 2029.*

(6) *KINSHIP NAVIGATORS.*—*The Secretary shall reserve \$10,000,000 for grants under section 427 for each of fiscal years 2026 through 2029.*

(c) ALLOTMENTS.—

(1) INDIAN TRIBES OR TRIBAL CONSORTIA.—From the amount (if any) reserved pursuant to subsection (b)(3) for any fiscal year, the Secretary shall allot to each Indian tribe with a plan approved under this subpart an amount that bears the same ratio to such reserved amount as the number of children in the Indian tribe bears to the total number of children in all Indian tribes with State plans so approved, as determined by the Secretary on the basis of the most current and reliable information available to the Secretary. If a consortium of Indian tribes applies and is approved for a grant under this section, the Secretary shall allot to the consortium an amount equal to the sum of the allotments determined for each Indian tribe that is part of the consortium.

(2) TERRITORIES.—From the amount (if any) appropriated pursuant to subsection (a) for any fiscal year that remains after applying subsection (b) for the fiscal year, the Secretary shall allot to each of the jurisdictions of Puerto Rico, Guam, the Virgin Islands, the Northern Mariana Islands, and American Samoa an amount determined in the same manner as the allotment to each of such jurisdictions is determined under section 423.

(3) OTHER STATES.—From the amount (if any) appropriated pursuant to subsection (a) for any fiscal year that remains after applying subsection (b) and paragraph (2) of this subsection for the fiscal year, the Secretary shall allot to each State (other than an Indian tribe) which is not specified in paragraph (2) of this subsection an amount equal to such remaining amount multiplied by the supplemental nutrition assistance program benefits percentage (as defined in section 433(c)(2)) of the State for the fiscal year.

(d) GRANTS.—The Secretary may make a grant to a State which has a plan approved under this subpart in an amount equal to the lesser of—

(1) 75 percent of the total expenditures by the State for activities under the plan during the fiscal year or the immediately succeeding fiscal year; or

(2) the allotment of the State under subsection (c) for the fiscal year.

(e) APPLICABILITY OF CERTAIN RULES.—The rules of subsections (b) and (c) of section 434 shall apply in like manner to the amounts made available pursuant to subsection (a).

(f) TARGETED GRANTS TO IMPLEMENT IV–E PREVENTION SERVICES, AND IMPROVE THE WELL-BEING OF, AND IMPROVE PERMANENCY OUTCOMES FOR, CHILDREN AND FAMILIES AFFECTED BY HEROIN, OPIOIDS, AND OTHER SUBSTANCE ABUSE.—

(1) PURPOSE.—The purpose of this subsection is to authorize the Secretary to make competitive grants to regional partnerships to provide, through interagency collaboration and integration of programs and services, services and activities that are designed to increase the well-being of, improve permanency outcomes for, and enhance the safety of children who are in an

out-of-home placement or are at risk of being placed in an out-of-home placement as a result of a parent's or caretaker's substance abuse, *and expand the scope of the evidence-based services that may be approved by the clearinghouse established under section 476(d).*

(2) REGIONAL PARTNERSHIP DEFINED.—In this subsection, the term “regional partnership” means a collaborative agreement (which may be established on an interstate, State, or intrastate basis) entered into by the following:

(A) MANDATORY PARTNERS FOR ALL PARTNERSHIP GRANTS.—

(i) The State child welfare agency that is responsible for the administration of the State plan under this part and part E.

(ii) The State agency responsible for administering the substance abuse prevention and treatment block grant provided under subpart II of part B of title XIX of the Public Health Service Act.

(iii) *The most appropriate administrative office of the juvenile court or State court overseeing court proceedings involving families who come to the attention of the court due to child abuse or neglect.*

[(B) MANDATORY PARTNERS FOR PARTNERSHIP GRANTS PROPOSING TO SERVE CHILDREN IN OUT-OF-HOME PLACEMENTS.—If the partnership proposes to serve children in out-of-home placements, the Juvenile Court or Administrative Office of the Court that is most appropriate to oversee the administration of court programs in the region to address the population of families who come to the attention of the court due to child abuse or neglect.]

[(C)] (B) OPTIONAL PARTNERS.—At the option of the partnership, any of the following:

- (i) An Indian tribe or tribal consortium.
- (ii) Nonprofit child welfare service providers.
- (iii) For-profit child welfare service providers.
- (iv) Community health service providers, including substance abuse treatment providers.
- (v) Community mental health providers.
- (vi) Local law enforcement agencies.
- (vii) School personnel.
- (viii) Tribal child welfare agencies (or a consortia of the agencies).

(ix) *State or local agencies that administer Federal health care, housing, family support, or other related programs.*

[(ix)] (x) Any other providers, agencies, personnel, officials, or entities that are related to the provision of child and family services under a State plan approved under this subpart.

[(D)] (C) EXCEPTION FOR REGIONAL PARTNERSHIPS WHERE THE LEAD APPLICANT IS AN INDIAN TRIBE OR TRIBAL CONSORTIA.—If an Indian tribe or tribal consortium enters into a regional partnership for purposes of this subsection, the Indian tribe or tribal consortium—

(i) may (but is not required to) include the State child welfare agency as a partner in the collaborative agreement; *and*

(ii) may not enter into a collaborative agreement only with tribal child welfare agencies (or a consortium of the agencies) **;** *and* **].**

[(iii) if the condition described in paragraph (2)(B) applies, may include tribal court organizations in lieu of other judicial partners.]

(3) AUTHORITY TO AWARD GRANTS.—

(A) IN GENERAL.—**[In addition to amounts authorized to be appropriated to carry out this section, the]** *The* Secretary shall award grants under this subsection, from the amounts reserved for each of fiscal years **[2017 through 2023]** *2025 through 2029* under section **[436(b)(5)]** *436(b)(4)*, to regional partnerships that satisfy the requirements of this subsection, in amounts that are not less than \$250,000 and not more than \$1,000,000 per grant per fiscal year.

(B) REQUIRED MINIMUM PERIOD OF APPROVAL; PLANNING.—

(i) **IN GENERAL.—**A grant shall be awarded under this subsection for a period of not less than 2, and not more than 5, fiscal years, subject to clauses (ii) and (iii).

(ii) **EXTENSION OF GRANT.—**On application of the grantee, the Secretary may extend for not more than 2 fiscal years the period for which a grant is awarded under this subsection.

[(iii) SUFFICIENT PLANNING.—A]

(iii) SUFFICIENT PLANNING.—

*(I) IN GENERAL.—*A grant awarded under this subsection shall be disbursed in two phases: a planning phase (not to exceed 2 years) and an implementation phase. The total disbursement to a grantee for the planning phase **[may not exceed \$250,000, and]** may not exceed the total anticipated funding for the implementation phase.

(II) EXCEPTION.—The Secretary, on a case-by-case basis, may waive the planning phase for a partnership that demonstrates that the partnership has engaged in sufficient planning before submitting an application for a grant under this subsection.

(C) MULTIPLE GRANTS ALLOWED.—This subsection shall not be interpreted to prevent a grantee from applying for, or being awarded, separate grants under this subsection.

(D) LIMITATION ON PAYMENT FOR A FISCAL YEAR.—No payment shall be made under subparagraph (A) or (C) for a fiscal year until the Secretary determines that the eligible partnership has made sufficient progress in meeting the goals of the grant and that the members of the eligible partnership are coordinating to a reasonable degree with the other members of the eligible partnership.

(4) APPLICATION REQUIREMENTS.—To be eligible for a grant under this subsection, a regional partnership shall submit to the Secretary a written application containing the following:

(A) Recent evidence demonstrating that substance abuse has had a substantial impact on the number of out-of-home placements for children, or the number of children who are at risk of being placed in an out-of-home placement, in the partnership region.

(B) A description of the goals and outcomes to be achieved during the funding period for the grant that will—

(i) enhance the well-being of children, parents, and families receiving services or taking part in activities conducted with funds provided under the grant;

(ii) lead to safe, permanent caregiving relationships for the children;

(iii) improve the substance abuse treatment outcomes for parents including retention in treatment and successful completion of treatment;

(iv) facilitate the implementation, delivery, and effectiveness of prevention services and programs under section 471(e); and

(v) decrease the number of out-of-home placements for children, increase reunification rates for children who have been placed in out-of-home care, or decrease the number of children who are at risk of being placed in an out-of-home placement, in the partnership region.

(C) A description of the joint activities to be funded in whole or in part with the funds provided under the grant, including the sequencing of the activities proposed to be conducted under the funding period for the grant.

(D) A description of the strategies for integrating programs and services determined to be appropriate for the child and the child's family.

(E) A description of a plan for sustaining the services provided by or activities funded under the grant after the conclusion of the grant period, including through the use of prevention services and programs under section 471(e) and other funds provided to the State for child welfare and substance abuse prevention and treatment services.

(F) Additional information needed by the Secretary to determine that the proposed activities and implementation will be consistent with research or evaluations showing which practices and approaches are most effective.

(5) USE OF FUNDS.—Funds made available under a grant made under this subsection shall only be used for services or activities that are consistent with the purpose of this subsection and may include the following:

(A) Family-based comprehensive long-term substance use disorder treatment including medication assisted treatment and in-home substance abuse disorder treatment and recovery services.

(B) Early intervention and preventative services.

(C) Children and family counseling.

(D) Mental health services.

(E) Parenting skills training.

(F) Replication of successful models for providing family-based comprehensive long-term substance abuse treatment services.

(6) MATCHING REQUIREMENT.—

(A) FEDERAL SHARE.—A grant awarded under this subsection shall be available to pay a percentage share of the costs of services provided or activities conducted under such grant, not to exceed—

(i) 85 percent for the first and second fiscal years for which the grant is awarded to a recipient;

(ii) 80 percent for the third and fourth such fiscal years;

(iii) 75 percent for the fifth such fiscal year;

(iv) 70 percent for the sixth such fiscal year; and

(v) 65 percent for the seventh such fiscal year.

(B) NON-FEDERAL SHARE.—The non-Federal share of the cost of services provided or activities conducted under a grant awarded under this subsection may be in cash or in kind. In determining the amount of the non-Federal share, the Secretary may attribute fair market value to goods, services, and facilities contributed from non-Federal sources.

(7) CONSIDERATIONS IN AWARDING GRANTS.—In awarding grants under this subsection, the Secretary shall take into consideration the extent to which applicant regional partnerships—

(A) demonstrate that substance abuse by parents or caretakers has had a substantial impact on the number of out-of-home placements for children, or the number of children who are at risk of being placed in an out-of-home placement, in the partnership region;

(B) have limited resources for addressing the needs of children affected by such abuse;

(C) have a lack of capacity for, or access to, comprehensive family treatment services;

(D) demonstrate a track record of successful collaboration among child welfare, substance abuse disorder treatment and mental health agencies; **[and]**

(E) demonstrate a plan for sustaining the services provided by or activities funded under the grant after the conclusion of the grant period**[.]**;

(F) *have submitted information pursuant to paragraph (4)(F) that demonstrates the capability to participate in rigorous evaluation of program effectiveness; and*

(G) *are a State or public agency, or outline a plan to increase the availability of services funded under the grant statewide.*

(8) PERFORMANCE INDICATORS.—

(A) IN GENERAL.—Not later than 9 months after the date of enactment of **[this subsection]** *the Protecting America's Children by Strengthening Families Act*, the Secretary shall review indicators that are used to assess periodically the performance of the grant recipients under this sub-

section and establish a set of core indicators related to child safety, *child permanency, reunification, re-entry into care, parental recovery, parenting capacity, and family well-being, and access to services for families with substance use disorder, including those with children who are overrepresented in foster care, difficult to place, or have disproportionately low permanency rates.* In developing the core indicators, to the extent possible, indicators shall be made consistent with the outcome measures described in section 471(e)(6).

(B) CONSULTATION REQUIRED.—In establishing the performance indicators required by subparagraph (A), the Secretary shall base the performance measures on lessons learned from prior rounds of regional partnership grants under this subsection, and consult with the following:

- (i) The Assistant Secretary for the Administration for Children and Families.
- (ii) The Administrator of the Substance Abuse and Mental Health Services Administration.
- (iii) *The Administrator of the National Institute on Drug Abuse.*
- [(iii)] (iv) Other stakeholders or constituencies as determined by the Secretary.

(9) REPORTS.—

(A) GRANTEE REPORTS.—

(i) SEMIANNUAL REPORTS.—Not later than September 30 of each fiscal year in which a recipient of a grant under this subsection is paid funds under the grant, and every 6 months thereafter, the grant recipient shall submit to the Secretary a report on the services provided and activities carried out during the reporting period, progress made in achieving the goals of the program, the number of children, adults, and families receiving services, and such additional information as the Secretary determines is necessary. The report due not later than September 30 of the last such fiscal year shall include, at a minimum, data on each of the performance indicators included in the evaluation of the regional partnership.

(ii) INCORPORATION OF INFORMATION RELATED TO PERFORMANCE INDICATORS.—Each recipient of a grant under this subsection shall incorporate into the first annual report required by clause (i) that is submitted after the establishment of performance indicators under paragraph (8), information required in relation to such indicators.

(B) REPORTS TO CONGRESS.—On the basis of the reports submitted under subparagraph (A), the Secretary annually shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report on—

- (i) the services provided and activities conducted with funds provided under grants awarded under this subsection;

(ii) the performance indicators established under paragraph (8); **and**

(iii) the progress that has been made in addressing the needs of families with substance abuse problems who come to the attention of the child welfare system and in achieving the goals of child safety, permanence, and family stability**【.】**; *and*

(iv) whether any programs funded by the grants were submitted to the clearinghouse established under section 476(d) for review and the results of any such review.

(10) **LIMITATION ON USE OF FUNDS FOR ADMINISTRATIVE EXPENSES OF THE SECRETARY.**—Not more than 5 percent of the amounts appropriated or reserved for awarding grants under this subsection **【for each of fiscal years 2017 through 2023】** may be used by the Secretary for salaries and Department of Health and Human Services administrative expenses in administering this subsection.

(g) **FUNDING FOR THE DEVELOPMENT OF AN ELECTRONIC INTERSTATE CASE-PROCESSING SYSTEM TO EXPEDITE THE INTERSTATE PLACEMENT OF CHILDREN IN FOSTER CARE OR GUARDIANSHIP, OR FOR ADOPTION.**—

(1) **PURPOSE.**—The purpose of this subsection is to facilitate the development of an electronic interstate case-processing system for the exchange of data and documents to expedite the placements of children in foster, guardianship, or adoptive homes across State lines.

(2) **REQUIREMENTS.**—A State that seeks funding under this subsection shall submit to the Secretary the following:

(A) A description of the goals and outcomes to be achieved, which goals and outcomes must result in—

(i) reducing the time it takes for a child to be provided with a safe and appropriate permanent living arrangement across State lines;

(ii) improving administrative processes and reducing costs in the foster care system; and

(iii) the secure exchange of relevant case files and other necessary materials in real time, and timely communications and placement decisions regarding interstate placements of children.

(B) A description of the activities to be funded in whole or in part with the funds, including the sequencing of the activities.

(C) A description of the strategies for integrating programs and services for children who are placed across State lines.

(D) Such other information as the Secretary may require.

(3) **FUNDING AUTHORITY.**—The Secretary may provide funds to a State that complies with paragraph (2). In providing funds under this subsection, the Secretary shall prioritize States that are not yet connected with the electronic interstate case-processing system referred to in paragraph (1).

(4) **USE OF FUNDS.**—A State to which funding is provided under this subsection shall use the funding to support the

State in connecting with, or enhancing or expediting services provided under, the electronic interstate case-processing system referred to in paragraph (1).

(5) **EVALUATIONS.**—Not later than 1 year after the final year in which funds are awarded under this subsection, the Secretary shall submit to the Congress, and make available to the general public by posting on a website, a report that contains the following information:

(A) How using the electronic interstate case-processing system developed pursuant to paragraph (4) has changed the time it takes for children to be placed across State lines.

(B) The number of cases subject to the Interstate Compact on the Placement of Children that were processed through the electronic interstate case-processing system, and the number of interstate child placement cases that were processed outside the electronic interstate case-processing system, by each State in each year.

(C) The progress made by States in implementing the electronic interstate case-processing system.

(D) How using the electronic interstate case-processing system has affected various metrics related to child safety and well-being, including the time it takes for children to be placed across State lines.

(E) How using the electronic interstate case-processing system has affected administrative costs and caseworker time spent on placing children across State lines.

(6) **DATA INTEGRATION.**—The Secretary, in consultation with the Secretariat for the Interstate Compact on the Placement of Children and the States, shall assess how the electronic interstate case-processing system developed pursuant to paragraph (4) could be used to better serve and protect children that come to the attention of the child welfare system, by—

(A) connecting the system with other data systems (such as systems operated by State law enforcement and judicial agencies, systems operated by the Federal Bureau of Investigation for the purposes of the Innocence Lost National Initiative, and other systems);

(B) simplifying and improving reporting related to paragraphs (34) and (35) of section 471(a) regarding children or youth who have been identified as being a sex trafficking victim or children missing from foster care; and

(C) improving the ability of States to quickly comply with background check requirements of section 471(a)(20), including checks of child abuse and neglect registries as required by section 471(a)(20)(B).

SEC. 438. ENTITLEMENT FUNDING FOR STATE COURTS TO ASSESS AND IMPROVE HANDLING OF PROCEEDINGS RELATING TO FOSTER CARE AND ADOPTION.

(a) **IN GENERAL.**—The Secretary shall make grants, in accordance with this section, to the highest State courts in States participating in the program under part E, for the purpose of enabling such courts—

(1) to conduct assessments, in accordance with such requirements as the Secretary shall publish, of the role, responsibil-

ities, and effectiveness of State courts in carrying out State laws requiring proceedings (conducted by or under the supervision of the courts)—

- (A) that implement parts B and E;
 - (B) that determine the advisability or appropriateness of foster care placement;
 - (C) that determine whether to terminate parental rights;
 - (D) that determine whether to approve the adoption or other permanent placement of a child;
 - (E) that determine the best strategy to use to expedite the interstate placement of children, including—
 - (i) requiring courts in different States to cooperate in the sharing of information;
 - (ii) authorizing courts to obtain information and testimony from agencies and parties in other States without requiring interstate travel by the agencies and parties; and
 - (iii) permitting the participation of parents, children, other necessary parties, and attorneys in cases involving interstate placement without requiring their interstate travel; and
 - (F) *that determine the appropriateness and best practices for use of technology to conduct remote hearings, subject to participant consent, including to ensure maximum participation of individuals involved in proceedings and to enable courts to maintain operations in times of public health or other emergencies;*
- (2) to implement improvements the highest state courts deem necessary as a result of the assessments, including—
- (A) to provide for the safety, well-being, and permanence of children in foster care in a timely and complete manner, as set forth in the Adoption and Safe Families Act of 1997 (Public Law 105–89), including the requirements in the Act related to concurrent planning;
 - (B) to implement a corrective action plan, as necessary, resulting from reviews of child and family service programs under section 1123A of this Act; and
 - (C) to increase and improve engagement of the entire family in court processes relating to child welfare, family preservation, family reunification, and adoption, including by training judges, attorneys, and other legal **personnel.** *personnel and supporting optimal use of remote hearing technology; and*
- (3) *to ensure continuity of needed court services, prevent disruption of the services, and enable their recovery from threats such as public health crises, natural disasters or cyberattacks, including through—*
- (A) *support for technology that allows court proceedings to occur remotely subject to participant consent, including hearings and legal representation;*
 - (B) *the development of guidance and protocols for responding to the occurrences and coordinating with other agencies; and*
 - (C) *other activities carried out to ensure backup systems are in place.*

(b) APPLICATIONS.—In order to be eligible to receive a grant under this section, a highest State court shall have in effect a rule requiring State courts to ensure that foster parents, pre-adoptive parents, and relative caregivers of a child in foster care under the responsibility of the State are notified of any proceeding to be held with respect to the child, shall provide for the training of judges, attorneys, and other legal personnel in child welfare cases on Federal child welfare policies and payment limitations with respect to children in foster care who are placed in settings that are not a foster family home, and shall submit to the Secretary an application at such time, in such form, and including such information and assurances as the Secretary may require, including—

(1) a description of how courts and child welfare agencies on the local and State levels will use not less than 30 percent of grant funds to collaborate and jointly plan for the collection and sharing of all relevant data and information to demonstrate how improved case tracking and analysis of child abuse and neglect cases will produce safe and timely permanency decisions;

(2) a demonstration that a portion of the grant will be used for cross-training initiatives that are jointly planned and executed with the State agency or any other agency under contract with the State to administer the State program under the State plan under subpart 1, the State plan approved under section 434, or the State plan approved under part E; and

(C) in the case of a grant for any purpose described in subsection (a), a demonstration of meaningful and ongoing collaboration among the courts in the State, the State agency or any other agency under contract with the State who is responsible for administering the State program under part B or E, and, where applicable, Indian tribes.

(c) AMOUNT OF GRANT.—

(1) IN GENERAL.—From the amounts reserved under sections **[436(b)(2)] 436(b)(1)** and 437(b)(2) for a fiscal year, each highest State court that has an application approved under this section for the fiscal year shall be entitled to payment of an amount equal to the sum of—

(A) \$255,000; and

(B) the amount described in paragraph (2) with respect to the court and the fiscal year.

(2) AMOUNT DESCRIBED.—The amount described in this paragraph with respect to a court and a fiscal year is the amount that bears the same ratio to the total of the amounts reserved under sections **[436(b)(2)] 436(b)(1)** and 437(b)(2) for grants under this section for the fiscal year (after applying paragraphs (1)(A) and (3) of this subsection) as the number of individuals in the State in which the court is located who have not attained 21 years of age bears to the total number of such individuals in all States with a highest State court that has an approved application under this section for the fiscal year.

(3) INDIAN TRIBES.—From the amounts reserved under section **[436(b)(2)] 436(b)(1)** for a fiscal year, the Secretary shall, before applying paragraph (1) of this subsection, allocate \$1,000,000 for fiscal year 2025, and \$2,000,000 for each of fiscal years 2026 through 2029, for grants to be awarded on a

competitive basis among the highest courts of Indian tribes or tribal consortia that—

(A) are operating a program under part E, in accordance with section 479B;

(B) are seeking to operate a program under part E and have received an implementation grant under section 476; or

(C) have a court responsible for proceedings related to foster care or adoption.

(d) **FEDERAL SHARE.**—Each highest State court which receives funds paid under this section may use such funds to pay not more than 75 percent of the cost of activities under this section in each of fiscal years **[2017 through 2023]** *2025 through 2029*.

(e) **GUIDANCE.**—

(1) **IN GENERAL.**—*Every 5 years, the Secretary shall issue implementation guidance for sharing information on best practices for—*

(A) technological changes needed for court proceedings for foster care, guardianship, or adoption to be conducted remotely in a way that maximizes engagement and protects the privacy of participants; and

(B) the manner in which the proceedings should be conducted.

(2) **INITIAL ISSUANCE.**—*The Secretary shall issue initial guidance required by paragraph (1) with preliminary information on best practices not later than October 1, 2025.*

(3) **ADDITIONAL CONSULTATION.**—*The Secretary shall consult with Indian tribes on the development of appropriate guidelines for State court proceedings involving Indian children to maximize engagement of Indian tribes and provide appropriate guidelines on conducting State court proceedings subject to the Indian Child Welfare Act of 1978 (25 U.S.C. 1901 et seq.).*

[SEC. 439. GRANTS FOR PROGRAMS FOR MENTORING CHILDREN OF PRISONERS.

[(a) FINDINGS AND PURPOSES.—

[(1) FINDINGS.—

[(A) In the period between 1991 and 1999, the number of children with a parent incarcerated in a Federal or State correctional facility increased by more than 100 percent, from approximately 900,000 to approximately 2,000,000. In 1999, 2.1 percent of all children in the United States had a parent in Federal or State prison.

[(B) Prior to incarceration, 64 percent of female prisoners and 44 percent of male prisoners in State facilities lived with their children.

[(C) Nearly 90 percent of the children of incarcerated fathers live with their mothers, and 79 percent of the children of incarcerated mothers live with a grandparent or other relative.

[(D) Parental arrest and confinement lead to stress, trauma, stigmatization, and separation problems for children. These problems are coupled with existing problems that include poverty, violence, parental substance abuse, high-crime environments, intrafamilial abuse, child abuse and neglect, multiple care givers, and/or prior separations.

As a result, these children often exhibit a broad variety of behavioral, emotional, health, and educational problems that are often compounded by the pain of separation.

[(E) Empirical research demonstrates that mentoring is a potent force for improving children's behavior across all risk behaviors affecting health. Quality, one-on-one relationships that provide young people with caring role models for future success have profound, life-changing potential. Done right, mentoring markedly advances youths' life prospects. A widely cited 1995 study by Public/Private Ventures measured the impact of one Big Brothers Big Sisters program and found significant effects in the lives of youth—cutting first-time drug use by almost half and first-time alcohol use by about a third, reducing school absenteeism by half, cutting assaultive behavior by a third, improving parental and peer relationships, giving youth greater confidence in their school work, and improving academic performance.

[(2) PURPOSES.—The purposes of this section are to authorize the Secretary—

[(A) to make competitive grants to applicants in areas with substantial numbers of children of incarcerated parents, to support the establishment or expansion and operation of programs using a network of public and private community entities to provide mentoring services for children of prisoners; and

[(B) to enter into on a competitive basis a cooperative agreement to conduct a service delivery demonstration project in accordance with the requirements of subsection (g).

[(b) DEFINITIONS.—In this section:

[(1) CHILDREN OF PRISONERS.—The term “children of prisoners” means children one or both of whose parents are incarcerated in a Federal, State, or local correctional facility. The term is deemed to include children who are in an ongoing mentoring relationship in a program under this section at the time of their parents' release from prison, for purposes of continued participation in the program.

[(2) MENTORING.—The term “mentoring” means a structured, managed program in which children are appropriately matched with screened and trained adult volunteers for one-on-one relationships, involving meetings and activities on a regular basis, intended to meet, in part, the child's need for involvement with a caring and supportive adult who provides a positive role model.

[(3) MENTORING SERVICES.—The term “mentoring services” means those services and activities that support a structured, managed program of mentoring, including the management by trained personnel of outreach to, and screening of, eligible children; outreach to, education and training of, and liaison with sponsoring local organizations; screening and training of adult volunteers; matching of children with suitable adult volunteer mentors; support and oversight of the mentoring relationship; and establishment of goals and evaluation of outcomes for mentored children.

[(c) PROGRAM AUTHORIZED.—From the amounts appropriated under subsection (i) for a fiscal year that remain after applying subsection (i)(2), the Secretary shall make grants under this section for each of fiscal years 2007 through 2011 to State or local governments, tribal governments or tribal consortia, faith-based organizations, and community-based organizations in areas that have significant numbers of children of prisoners and that submit applications meeting the requirements of this section, in amounts that do not exceed \$5,000,000 per grant.

[(d) APPLICATION REQUIREMENTS.—In order to be eligible for a grant under this section, the chief executive officer of the applicant must submit to the Secretary an application containing the following:

[(1) PROGRAM DESIGN.—A description of the proposed program, including—

[(A) a list of local public and private organizations and entities that will participate in the mentoring network;

[(B) the name, description, and qualifications of the entity that will coordinate and oversee the activities of the mentoring network;

[(C) the number of mentor-child matches proposed to be established and maintained annually under the program;

[(D) such information as the Secretary may require concerning the methods to be used to recruit, screen support, and oversee individuals participating as mentors, (which methods shall include criminal background checks on the individuals), and to evaluate outcomes for participating children, including information necessary to demonstrate compliance with requirements established by the Secretary for the program; and

[(E) such other information as the Secretary may require.

[(2) COMMUNITY CONSULTATION; COORDINATION WITH OTHER PROGRAMS.—A demonstration that, in developing and implementing the program, the applicant will, to the extent feasible and appropriate—

[(A) consult with public and private community entities, including religious organizations, and including, as appropriate, Indian tribal organizations and urban Indian organizations, and with family members of potential clients;

[(B) coordinate the programs and activities under the program with other Federal, State, and local programs serving children and youth; and

[(C) consult with appropriate Federal, State, and local corrections, workforce development, and substance abuse and mental health agencies.

[(3) EQUAL ACCESS FOR LOCAL SERVICE PROVIDERS.—An assurance that public and private entities and community organizations, including religious organizations and Indian organizations, will be eligible to participate on an equal basis.

[(4) RECORDS, REPORTS, AND AUDITS.—An agreement that the applicant will maintain such records, make such reports, and cooperate with such reviews or audits as the Secretary may find necessary for purposes of oversight of project activities and expenditures.

[(5) EVALUATION.—An agreement that the applicant will cooperate fully with the Secretary's ongoing and final evaluation of the program under the plan, by means including providing the Secretary access to the program and program-related records and documents, staff, and grantees receiving funding under the plan.

[(e) FEDERAL SHARE.—

[(1) IN GENERAL.—A grant for a program under this section shall be available to pay a percentage share of the costs of the program up to—

[(A) 75 percent for the first and second fiscal years for which the grant is awarded; and

[(B) 50 percent for the third and each succeeding such fiscal years.

[(2) NON-FEDERAL SHARE.—The non-Federal share of the cost of projects under this section may be in cash or in kind. In determining the amount of the non-Federal share, the Secretary may attribute fair market value to goods, services, and facilities contributed from non-Federal sources.

[(f) CONSIDERATIONS IN AWARDING GRANTS.—In awarding grants under this section, the Secretary shall take into consideration—

[(1) the qualifications and capacity of applicants and networks of organizations to effectively carry out a mentoring program under this section;

[(2) the comparative severity of need for mentoring services in local areas, taking into consideration data on the numbers of children (and in particular of low-income children) with an incarcerated parents (or parents) in the areas;

[(3) evidence of consultation with existing youth and family service programs, as appropriate; and

[(4) any other factors the Secretary may deem significant with respect to the need for or the potential success of carrying out a mentoring program under this section.

[(g) SERVICE DELIVERY DEMONSTRATION PROJECT.—

[(1) PURPOSE; AUTHORITY TO ENTER INTO COOPERATIVE AGREEMENT.—The Secretary shall enter into a cooperative agreement with an eligible entity that meets the requirements of paragraph (2) for the purpose of requiring the entity to conduct a demonstration project consistent with this subsection under which the entity shall—

[(A) identify children of prisoners in need of mentoring services who have not been matched with a mentor by an applicant awarded a grant under this section, with a priority for identifying children who—

[(i) reside in an area not served by a recipient of a grant under this section;

[(ii) reside in an area that has a substantial number of children of prisoners;

[(iii) reside in a rural area; or

[(iv) are Indians;

[(B) provide the families of the children so identified with—

[(i) a voucher for mentoring services that meets the requirements of paragraph (5); and

[(ii) a list of the providers of mentoring services in the area in which the family resides that satisfy the requirements of paragraph (6); and

[(C) monitor and oversee the delivery of mentoring services by providers that accept the vouchers.

[(2) ELIGIBLE ENTITY.—

[(A) IN GENERAL.—Subject to subparagraph (B), an eligible entity under this subsection is an organization that the Secretary determines, on a competitive basis—

[(i) has substantial experience—

[(I) in working with organizations that provide mentoring services for children of prisoners; and

[(II) in developing quality standards for the identification and assessment of mentoring programs for children of prisoners; and

[(ii) submits an application that satisfies the requirements of paragraph (3).

[(B) LIMITATION.—An organization that provides mentoring services may not be an eligible entity for purposes of being awarded a cooperative agreement under this subsection.

[(3) APPLICATION REQUIREMENTS.—To be eligible to be awarded a cooperative agreement under this subsection, an entity shall submit to the Secretary an application that includes the following:

[(A) QUALIFICATIONS.—Evidence that the entity—

[(i) meets the experience requirements of paragraph (2)(A)(i); and

[(ii) is able to carry out—

[(I) the purposes of this subsection identified in paragraph (1); and

[(II) the requirements of the cooperative agreement specified in paragraph (4).

[(B) SERVICE DELIVERY PLAN.—

[(i) DISTRIBUTION REQUIREMENTS.—Subject to clause (iii), a description of the plan of the entity to ensure the distribution of not less than—

[(I) 3,000 vouchers for mentoring services in the first year in which the cooperative agreement is in effect with that entity;

[(II) 8,000 vouchers for mentoring services in the second year in which the agreement is in effect with that entity; and

[(III) 13,000 vouchers for mentoring services in any subsequent year in which the agreement is in effect with that entity.

[(ii) SATISFACTION OF PRIORITIES.—A description of how the plan will ensure the delivery of mentoring services to children identified in accordance with the requirements of paragraph (1)(A).

[(iii) SECRETARIAL AUTHORITY TO MODIFY DISTRIBUTION REQUIREMENT.—The Secretary may modify the number of vouchers specified in subclauses (I) through (III) of clause (i) to take into account the availability of appropriations and the need to ensure that the

vouchers distributed by the entity are for amounts that are adequate to ensure the provision of mentoring services for a 12-month period.

[(C) COLLABORATION AND COOPERATION.—A description of how the entity will ensure collaboration and cooperation with other interested parties, including courts and prisons, with respect to the delivery of mentoring services under the demonstration project.

[(D) OTHER.—Any other information that the Secretary may find necessary to demonstrate the capacity of the entity to satisfy the requirements of this subsection.

[(4) COOPERATIVE AGREEMENT REQUIREMENTS.—A cooperative agreement awarded under this subsection shall require the eligible entity to do the following:

[(A) IDENTIFY QUALITY STANDARDS FOR PROVIDERS.—To work with the Secretary to identify the quality standards that a provider of mentoring services must meet in order to participate in the demonstration project and which, at a minimum, shall include criminal records checks for individuals who are prospective mentors and shall prohibit approving any individual to be a mentor if the criminal records check of the individual reveals a conviction which would prevent the individual from being approved as a foster or adoptive parent under section 471(a)(20)(A).

[(B) IDENTIFY ELIGIBLE PROVIDERS.—To identify and compile a list of those providers of mentoring services in any of the 50 States or the District of Columbia that meet the quality standards identified pursuant to subparagraph (A).

[(C) IDENTIFY ELIGIBLE CHILDREN.—To identify children of prisoners who require mentoring services, consistent with the priorities specified in paragraph (1)(A).

[(D) MONITOR AND OVERSEE DELIVERY OF MENTORING SERVICES.—To satisfy specific requirements of the Secretary for monitoring and overseeing the delivery of mentoring services under the demonstration project, which shall include a requirement to ensure that providers of mentoring services under the project report data on the children served and the types of mentoring services provided.

[(E) RECORDS, REPORTS, AND AUDITS.—To maintain any records, make any reports, and cooperate with any reviews and audits that the Secretary determines are necessary to oversee the activities of the entity in carrying out the demonstration project under this subsection.

[(F) EVALUATIONS.—To cooperate fully with any evaluations of the demonstration project, including collecting and monitoring data and providing the Secretary or the Secretary's designee with access to records and staff related to the conduct of the project.

[(G) LIMITATION ON ADMINISTRATIVE EXPENDITURES.—To ensure that administrative expenditures incurred by the entity in conducting the demonstration project with respect to a fiscal year do not exceed the amount equal to

10 percent of the amount awarded to carry out the project for that year.

[(5) VOUCHER REQUIREMENTS.—A voucher for mentoring services provided to the family of a child identified in accordance with paragraph (1)(A) shall meet the following requirements:

[(A) TOTAL PAYMENT AMOUNT; 12-MONTH SERVICE PERIOD.—The voucher shall specify the total amount to be paid a provider of mentoring services for providing the child on whose behalf the voucher is issued with mentoring services for a 12-month period.

[(B) PERIODIC PAYMENTS AS SERVICES PROVIDED.—

[(i) IN GENERAL.—The voucher shall specify that it may be redeemed with the eligible entity by the provider accepting the voucher in return for agreeing to provide mentoring services for the child on whose behalf the voucher is issued.

[(ii) DEMONSTRATION OF THE PROVISION OF SERVICES.—A provider that redeems a voucher issued by the eligible entity shall receive periodic payments from the eligible entity during the 12-month period that the voucher is in effect upon demonstration of the provision of significant services and activities related to the provision of mentoring services to the child on whose behalf the voucher is issued.

[(6) PROVIDER REQUIREMENTS.—In order to participate in the demonstration project, a provider of mentoring services shall—

[(A) meet the quality standards identified by the eligible entity in accordance with paragraph (1);

[(B) agree to accept a voucher meeting the requirements of paragraph (5) as payment for the provision of mentoring services to a child on whose behalf the voucher is issued;

[(C) demonstrate that the provider has the capacity, and has or will have nonfederal resources, to continue supporting the provision of mentoring services to the child on whose behalf the voucher is issued, as appropriate, after the conclusion of the 12-month period during which the voucher is in effect; and

[(D) if the provider is a recipient of a grant under this section, demonstrate that the provider has exhausted its capacity for providing mentoring services under the grant.

[(7) 3-YEAR PERIOD; OPTION FOR RENEWAL.—

[(A) IN GENERAL.—A cooperative agreement awarded under this subsection shall be effective for a 3-year period.

[(B) RENEWAL.—The cooperative agreement may be renewed for an additional period, not to exceed 2 years and subject to any conditions that the Secretary may specify that are not inconsistent with the requirements of this subsection or subsection (i)(2)(B), if the Secretary determines that the entity has satisfied the requirements of the agreement and evaluations of the service delivery demonstration project demonstrate that the voucher service delivery method is effective in providing mentoring services to children of prisoners.

[(8) INDEPENDENT EVALUATION AND REPORT.—

[(A) IN GENERAL.—The Secretary shall enter into a contract with an independent, private organization to evaluate and prepare a report on the first 2 fiscal years in which the demonstration project is conducted under this subsection.

[(B) DEADLINE FOR REPORT.—Not later than 90 days after the end of the second fiscal year in which the demonstration project is conducted under this subsection, the Secretary shall submit the report required under subparagraph (A) to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate. The report shall include—

[(i) the number of children as of the end of such second fiscal year who received vouchers for mentoring services; and

[(ii) any conclusions regarding the use of vouchers for the delivery of mentoring services for children of prisoners.

[(9) NO EFFECT ON ELIGIBILITY FOR OTHER FEDERAL ASSISTANCE.—A voucher provided to a family under the demonstration project conducted under this subsection shall be disregarded for purposes of determining the eligibility for, or the amount of, any other Federal or federally-supported assistance for the family.

[(h) INDEPENDENT EVALUATION; REPORTS.—

[(1) INDEPENDENT EVALUATION.—The Secretary shall conduct by grant, contract, or cooperative agreement an independent evaluation of the programs authorized under this section, including the service delivery demonstration project authorized under subsection (g).

[(2) REPORTS.—Not later than 12 months after the date of enactment of this subsection, the Secretary shall submit a report to the Congress that includes the following:

[(A) The characteristics of the mentoring programs funded under this section.

[(B) The plan for implementation of the service delivery demonstration project authorized under subsection (g).

[(C) A description of the outcome-based evaluation of the programs authorized under this section that the Secretary is conducting as of that date of enactment and how the evaluation has been expanded to include an evaluation of the demonstration project authorized under subsection (g).

[(D) The date on which the Secretary shall submit a final report on the evaluation to the Congress.

[(i) AUTHORIZATION OF APPROPRIATIONS; RESERVATIONS OF CERTAIN AMOUNTS.—

[(1) LIMITATIONS ON AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there are authorized to be appropriated to the Secretary such sums as may be necessary for fiscal years 2007 through 2011.

[(2) RESERVATIONS.—

[(A) RESEARCH, TECHNICAL ASSISTANCE, AND EVALUATION.—The Secretary shall reserve 4 percent of the amount appropriated for each fiscal year under paragraph (1) for expenditure by the Secretary for research, technical

assistance, and evaluation related to programs under this section.

[(B) SERVICE DELIVERY DEMONSTRATION PROJECT.—

[(i) IN GENERAL.—Subject to clause (ii), for purposes of awarding a cooperative agreement to conduct the service delivery demonstration project authorized under subsection (g), the Secretary shall reserve not more than—

[(I) \$5,000,000 of the amount appropriated under paragraph (1) for the first fiscal year in which funds are to be awarded for the agreement;

[(II) \$10,000,000 of the amount appropriated under paragraph (1) for the second fiscal year in which funds are to be awarded for the agreement; and

[(III) \$15,000,000 of the amount appropriated under paragraph (1) for the third fiscal year in which funds are to be awarded for the agreement.

[(ii) ASSURANCE OF FUNDING FOR GENERAL PROGRAM GRANTS.—With respect to any fiscal year, no funds may be awarded for a cooperative agreement under subsection (g), unless at least \$25,000,000 of the amount appropriated under paragraph (1) for that fiscal year is used by the Secretary for making grants under this section for that fiscal year.】

SEC. 439. STATE PARTNERSHIP PLANNING AND DEMONSTRATION GRANTS TO SUPPORT MEANINGFUL RELATIONSHIPS BETWEEN FOSTER CHILDREN AND THE INCARCERATED PARENTS OF THE CHILDREN.

(a) AUTHORITY.—

(1) IN GENERAL.—The Secretary may make demonstration grants to eligible State partnerships to develop, implement, and provide support for programs that enable and sustain meaningful relationships between covered foster children and the incarcerated parents of the children.

(2) PAYMENT OF ANNUAL INSTALLMENTS.—The Secretary shall pay each demonstration grant in 5 annual installments.

(3) 1-YEAR PLANNING GRANTS.—The Secretary may make a planning grant to a recipient of a demonstration grant, to be paid to the recipient 1 year before payment of the 1st annual installment of the demonstration grant and in an amount not greater than any installment of the demonstration grant, if—

(A) the recipient includes a request for a planning grant in the application under subsection (c); and

(B) the Secretary determines that a planning grant would assist the recipient and improve the effectiveness of the demonstration grant.

(b) ELIGIBLE STATE PARTNERSHIP DEFINED.—

(1) IN GENERAL.—In this section, the term “eligible State partnership” means an agreement entered into by, at a minimum, the following:

(A) The State child welfare agency responsible for the administration of the State plans under this part.

(B) The State agency responsible for adult corrections.

(2) *ADDITIONAL PARTNERS.*—For purposes of this section, an eligible State partnership may include any entity with experience in serving incarcerated parents and their children.

(3) *PARTNERSHIPS ENTERED INTO BY INDIAN TRIBES OR TRIBAL CONSORTIA.*—Notwithstanding paragraph (1), if an Indian tribe or tribal consortium enters into a partnership pursuant to this section that does not consist solely of tribal child welfare agencies (or a consortium of the agencies), the partnership shall be considered an eligible State partnership for purposes of this section.

(c) *APPLICATION REQUIREMENTS.*—An eligible State partnership seeking a demonstration grant under this section to carry out a program described in subsection (a)(1) shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require. The application shall include the following:

(1) A summary of the program, including how the program will support a meaningful relationship between a covered foster child and an incarcerated parent of the child.

(2) A description of the activities to be carried out by the program, which must include all of the activities described in subsection (d) that are in the best interest of the covered foster child.

(3) A framework for identifying—

(A) each covered foster child eligible for services under the program, including, to the extent practicable, coordination of data between relevant State child welfare agencies and court systems; and

(B) the roles and responsibilities of the entities in the partnership.

(4) Documentation that the applicant is an eligible State partnership.

(5) Assurances that the applicant will participate fully in the evaluation described in subsection (f)(2) and shall maintain records for the program, including demographic information disaggregated by relevant characteristics with respect to covered foster children and incarcerated parents who participate in the program.

(d) *PROGRAM ACTIVITIES.*—To the extent that the activities are in the best interest of the covered foster child, the activities referred to in subsection (c)(2) shall include the following:

(1) *REVISION OF POLICIES.*—Through consultation with incarcerated parents and their families, grantees shall promote organizational policies of participating child welfare entities and collaborating correctional facilities to promote meaningful relationships through regular and developmentally appropriate communication and visitation between covered foster children and the incarcerated parents, including, when appropriate, the following:

(A) For child welfare entities—

(i) inclusion of parents in case planning and decision making for children;

(ii) regular sharing of information and responses to requests for information between caseworkers and incarcerated parents with respect to the case information

of a child, any changes to a case, permanency plans, requirements to maintain parental rights, and any efforts to terminate parental rights;

(iii) appropriate opportunities for incarcerated parents to demonstrate their relationship with a covered foster child given their incarceration, including training and courses required for a service plan; and

(iv) the enhanced visitation described in paragraph (2).

(B) For correctional facilities, fostering visitation and communication that is developmentally appropriate in terms of—

(i) the nature of communication and visitation, including—

(I) the ability to physically touch parents;

(II) engaging with parents in locations that are appropriate for the age and development of the child;

(III) exchanging items that are appropriate to the age and development of the child, include expectations that are appropriate for the age and development of the child related to behavior, attire, and wait times; and

(IV) allowing appropriate adults to bring children if legal guardians are not available to promote regular contact;

(ii) reasonable inclusion of all children of the parent;

(iii) communication and visitation at times when the children are available;

(iv) security procedures to comfort children and be minimally invasive; and

(v) promoting parent-child relationships regardless of the sentence imposed on the parent.

(2) **ENHANCED VISITATION.**—

(A) Grantees shall facilitate weekly communication and, for at least 9 days each year, in-person visitation between a covered foster child and any incarcerated parent of the child.

(B) Electronic visitation (such as live video visits, phone calls, and recorded books) may be used but shall not be the sole method to promote a meaningful relationship for purposes of the grant.

(C) Enhanced visitation programs shall—

(i) integrate best practices for visitation programs with incarcerated parents and their children;

(ii) adopt developmentally appropriate visitation policies and procedures such as those described in paragraph (1)(B);

(iii) reduce or eliminate the cost of developmentally appropriate communication and visitation for the covered foster child, which may include the purchase of communication technology, covering transportation, insurance, and lodging costs, costs related to providing appropriate visitation spaces and activities, and other relevant costs;

(iv) to the extent practicable, integrate appropriate parenting education to help prepare and process visits; and

(v) avoid restricting visitation and communication as a punishment for the incarcerated parents.

(3) **TRAINING.**—Grantees shall incorporate ongoing training for child welfare workers, correctional facility staff, and other program providers to understand the importance of promoting meaningful relationships between children and incarcerated parents.

(4) **CASE MANAGEMENT.**—Grantees shall provide case management services for the incarcerated parents of a covered foster child to promote the relationship, access to services, and coordination with the caseworkers of the covered foster child to strengthen the relationship.

(5) **LEGAL ASSISTANCE.**—Grantees shall facilitate access to necessary legal services and may use grant funds for services that are not reimbursable under other Federal programs.

(e) **FEDERAL SHARE.**—The Federal share of the cost of any activity carried out using a grant made under this section shall be not greater than 75 percent.

(f) **TECHNICAL ASSISTANCE, EVALUATIONS, AND REPORTS.**—

(1) **TECHNICAL ASSISTANCE.**—The Secretary shall provide technical assistance with respect to grants under this section, including by—

(A) assisting grantees in understanding best practices in promoting meaningful relationships between incarcerated parents and their children as well as consulting with appropriate stakeholders when developing their programs;

(B) assisting grantees with establishing and analyzing implementation and performance indicators; and

(C) conducting an annual technical assistance and training meeting and an annual grantee meeting so that grantees can learn from the experiences of other grantees.

(2) **EVALUATIONS.**—The Secretary shall conduct an evaluation of program outcomes, including with respect to parent and child well-being, parent-child interactions, parental involvement, awareness of child development and parenting practices, placement stability, and termination of parental rights with respect to covered foster children and incarcerated parents, to measure program effectiveness, as determined by the Secretary, and identify opportunities for improved program practices and implementation.

(3) **REPORTS TO THE CONGRESS.**—

(A) **INITIAL REPORT.**—Not later than 3 years after the date of the enactment of this section, the Secretary shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report that includes—

(i) the number of applications for grants under this section;

(ii) the number of grants awarded, and the amounts for each grant; and

(iii) information on the grants, including—

(I) interim results of the evaluation described in paragraph (2);

(II) disaggregated data on covered foster children and incarcerated parents;

(III) information on the composition of eligible State partnerships;

(IV) best practices for facilitating meaningful relationships between covered foster children and incarcerated parents; and

(V) barriers to implementation or expansion of programs funded under this section.

(B) *FINAL REPORT.*—Not later than 6 years after the date of the enactment of this section, the Secretary shall submit to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate a report that includes—

(i) the final results of the evaluation described in paragraph (2); and

(ii) recommendations for refinements to grant requirements to improve program outcomes.

(g) *AUTHORITY OF SECRETARY WITH RESPECT TO INDIAN TRIBES AND TRIBAL ORGANIZATIONS.*—

(1) *WAIVER OR MODIFICATION OF REQUIREMENTS.*—In making a grant to an Indian tribe or tribal organization under this section, the Secretary may waive the matching requirement of subsection (e) or modify an application requirement imposed by or under subsection (c) if the Secretary determines that the waiver or modification is appropriate to the needs, culture, and circumstances of the Indian tribe or tribal organization.

(2) *EVALUATION.*—The Secretary shall use tribally relevant data in carrying out the evaluation under subsection (f)(2) with respect to an Indian tribe or tribal organization.

(h) *LIMITATIONS ON AUTHORIZATION OF APPROPRIATIONS.*—There is authorized to be appropriated to the Secretary not more than \$35,000,000 for each of fiscal years 2026 through 2029 to carry out this section.

(i) *DEFINITION OF COVERED FOSTER CHILD.*—In this section, the term “covered foster child” means a child that—

(1) is in foster care; and

(2) has at least 1 parent incarcerated in a Federal, State, or local correctional facility.

Subpart 3—Common Provisions

SEC. 441. REDUCTION OF ADMINISTRATIVE BURDEN.

(a) *IN GENERAL.*—The Secretary shall reduce the burden of administering this part imposed on the recipients of funds under this part, by—

(1) reviewing and revising administrative data collection instruments and forms to eliminate duplication and streamline reporting requirements for the recipients while collecting all data required under this part;

(2) in coordination with activities required under the Paperwork Reduction Act, conducting an analysis of the total number of hours reported by the recipients to comply with paperwork re-

quirements and exploring, in consultation with the recipients, how to reduce the number of hours required for the compliance by at least 15 percent;

(3) collecting input from the recipients with respect to fiscal and oversight requirements and making changes to ensure consistency with standards and guidelines for other Federal formula grant programs based on the input; and

(4) respecting the sovereignty of Indian tribes when complying with this subsection.

(b) LIMITATION ON APPLICABILITY.—Subsection (a) of this section shall not apply to any reporting or data collection otherwise required by law that would affect the ability of the Secretary to monitor and ensure compliance with State plans approved under this part or ensure that funds are expended consistent with this part.

SEC. 442. PUBLIC ACCESS TO STATE PLANS.

The Secretary shall—

(1) create a standardized format for State plans required under sections 422 and 432 used to monitor compliance with those sections;

(2) produce comparisons and analyses of trends in State plans to inform future technical assistance and policy development;

(3) make the State plans available on a public website; and

(4) include on the website aggregated national summaries of State submissions as the Secretary deems appropriate.

SEC. [440.] 443. DATA EXCHANGE STANDARDS FOR IMPROVED INTER-OPERABILITY.

(a) DESIGNATION.—The Secretary shall, in consultation with an interagency work group established by the Office of Management and Budget and considering State government perspectives, by rule, designate data exchange standards to govern, under this part and part E—

(1) necessary categories of information that State agencies operating programs under State plans approved under this part are required under applicable Federal law to electronically exchange with another State agency; and

(2) Federal reporting and data exchange required under applicable Federal law.

(b) REQUIREMENTS.—The data exchange standards required by paragraph (1) shall, to the extent practicable—

(1) incorporate a widely accepted, non-proprietary, searchable, computer-readable format, such as the Extensible Markup Language;

(2) contain interoperable standards developed and maintained by intergovernmental partnerships, such as the National Information Exchange Model;

(3) incorporate interoperable standards developed and maintained by Federal entities with authority over contracting and financial assistance;

(4) be consistent with and implement applicable accounting principles;

(5) be implemented in a manner that is cost-effective and improves program efficiency and effectiveness; and

(6) be capable of being continually upgraded as necessary.

(c) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to require a change to existing data exchange standards found to be effective and efficient.

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PART E—FEDERAL PAYMENTS FOR FOSTER CARE, PREVENTION, AND PERMANENCY

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PAYMENTS TO STATES; ALLOTMENTS TO STATES

SEC. 474. (a) For each quarter beginning after September 30, 1980, each State which has a plan approved under this part shall be entitled to a payment equal to the sum of—

(1) subject to subsections (j) and (k) of section 472, an amount equal to the Federal medical assistance percentage (which shall be as defined in section 1905(b), in the case of a State other than the District of Columbia, or 70 percent, in the case of the District of Columbia) of the total amount expended during such quarter as foster care maintenance payments under section 472 for children in foster family homes or child-care institutions (or, with respect to such payments made during such quarter under a cooperative agreement or contract entered into by the State and an Indian tribe, tribal organization, or tribal consortium for the administration or payment of funds under this part, an amount equal to the Federal medical assistance percentage that would apply under section 479B(d) (in this paragraph referred to as the “tribal FMAP”) if such Indian tribe, tribal organization, or tribal consortium made such payments under a program operated under that section, unless the tribal FMAP is less than the Federal medical assistance percentage that applies to the State); plus

(2) an amount equal to the Federal medical assistance percentage (which shall be as defined in section 1905(b), in the case of a State other than the District of Columbia, or 70 percent, in the case of the District of Columbia) of the total amount expended during such quarter as adoption assistance payments under section 473 pursuant to adoption assistance agreements (or, with respect to such payments made during such quarter under a cooperative agreement or contract entered into by the State and an Indian tribe, tribal organization, or tribal consortium for the administration or payment of funds under this part, an amount equal to the Federal medical assistance percentage that would apply under section 479B(d) (in this paragraph referred to as the “tribal FMAP”) if such Indian tribe, tribal organization, or tribal consortium made such payments under a program operated under that section, unless the tribal FMAP is less than the Federal medical assistance percentage that applies to the State); plus

(3) subject to section 472(i) an amount equal to the sum of the following proportions of the total amounts expended during such quarter as found necessary by the Secretary for the provision of child placement services and for the proper and efficient administration of the State plan—

(A) 75 per centum of so much of such expenditures as are for the training (including both short-and long-term training at educational institutions through grants to such institutions or by direct financial assistance to students enrolled in such institutions) of personnel employed or preparing for employment by the State agency or by the local agency administering the plan in the political subdivision,

(B) 75 percent of so much of such expenditures (including travel and per diem expenses) as are for the short-term training of current or prospective foster or adoptive parents or relative guardians, the members of the staff of State-licensed or State-approved child care institutions providing care, or State-licensed or State-approved child welfare agencies providing services, to children receiving assistance under this part, and members of the staff of abuse and neglect courts, agency attorneys, attorneys representing children or parents, guardians ad litem, or other court-appointed special advocates representing children in proceedings of such courts, in ways that increase the ability of such current or prospective parents, guardians, staff members, institutions, attorneys, and advocates to provide support and assistance to foster and adopted children and children living with relative guardians, whether incurred directly by the State or by contract,

(C) 50 percent of so much of such expenditures as are for the planning, design, development, or installation of statewide mechanized data collection and information retrieval systems (including 50 percent of the full amount of expenditures for hardware components for such systems) but only to the extent that such systems—

(i) meet the requirements imposed by regulations promulgated pursuant to section 479(b)(2);

(ii) to the extent practicable, are capable of interfacing with the State data collection system that collects information relating to child abuse and neglect;

(iii) to the extent practicable, have the capability of interfacing with, and retrieving information from, the State data collection system that collects information relating to the eligibility of individuals under part A (for the purposes of facilitating verification of eligibility of foster children); and

(iv) are determined by the Secretary to be likely to provide more efficient, economical, and effective administration of the programs carried out under a State plan approved under part B or this part; and

(D) 50 percent of so much of such expenditures as are for the operation of the statewide mechanized data collection and information retrieval systems referred to in subparagraph (C); and

(E) one-half of the remainder of such expenditures; plus
(4) an amount equal to the amount (if any) by which—

(A) the lesser of—

(i) 80 percent of the amounts expended by the State during the fiscal year in which the quarter occurs to carry out programs in accordance with the State appli-

cation approved under section 477(b) for the period in which the quarter occurs (including any amendment that meets the requirements of section 477(b)(5)); or

(ii) the amount allotted to the State under section 477(c)(1) for the fiscal year in which the quarter occurs, reduced by the total of the amounts payable to the State under this paragraph for all prior quarters in the fiscal year; exceeds

(B) the total amount of any penalties assessed against the State under section 477(e) during the fiscal year in which the quarter occurs; plus

(5) an amount equal to the percentage by which the expenditures referred to in paragraph (2) of this subsection are reimbursed of the total amount expended during such quarter as kinship guardianship assistance payments under section 473(d) pursuant to kinship guardianship assistance agreements; plus

(6) subject to section 471(e)—

(A) for each quarter—

(i) subject to clause (ii)—

(I) beginning after September 30, 2019, and before October 1, 2026, an amount equal to 50 percent of the total amount expended during the quarter for the provision of services or programs specified in subparagraph (A) or (B) of section 471(e)(1) that are provided in accordance with promising, supported, or well-supported practices that meet the applicable criteria specified for the practices in section 471(e)(4)(C); and

(II) beginning after September 30, 2026, an amount equal to the Federal medical assistance percentage (which shall be as defined in section 1905(b), in the case of a State other than the District of Columbia, or 70 percent, in the case of the District of Columbia) of the total amount expended during the quarter for the provision of services or programs specified in subparagraph (A) or (B) of section 471(e)(1) that are provided in accordance with promising, supported, or well-supported practices that meet the applicable criteria specified for the practices in section 471(e)(4)(C) (or, with respect to the payments made during the quarter under a cooperative agreement or contract entered into by the State and an Indian tribe, tribal organization, or tribal consortium for the administration or payment of funds under this part, an amount equal to the Federal medical assistance percentage that would apply under section 479B(d) (in this paragraph referred to as the “tribal FMAP”) if the Indian tribe, tribal organization, or tribal consortium made the payments under a program operated under that section, unless the tribal FMAP is less than the Federal medical assistance percentage that applies to the State); except that

(ii) not less than 50 percent of the total amount expended by a State under clause (i) for a fiscal year shall be for the provision of services or programs specified in subparagraph (A) or (B) of section 471(e)(1) that are provided in accordance with well-supported practices; plus

(B) for each quarter specified in subparagraph (A), an amount equal to the sum of the following proportions of the total amount expended during the quarter—

(i) 50 percent of so much of the expenditures as are found necessary by the Secretary for the proper and efficient administration of the State plan for the provision of services or programs specified in section 471(e)(1), including expenditures for activities approved by the Secretary that promote the development of necessary processes and procedures to establish and implement the provision of the services and programs for individuals who are eligible for the services and programs and expenditures attributable to data collection and reporting; and

(ii) 50 percent of so much of the expenditures with respect to the provision of services and programs specified in section 471(e)(1) as are for training of personnel employed or preparing for employment by the State agency or by the local agency administering the plan in the political subdivision and of the members of the staff of State-licensed or State-approved child welfare agencies providing services to children described in section 471(e)(2) and their parents or kin caregivers, including on how to determine who are individuals eligible for the services or programs, how to identify and provide appropriate services and programs, and how to oversee and evaluate the ongoing appropriateness of the services and programs; plus

(7) an amount equal to 50 percent of the amounts expended by the State during the quarter as the Secretary determines are for kinship navigator programs that meet the requirements described in section ~~427(a)(1)~~ 427(a) and that the Secretary determines are operated in accordance with promising, supported, or well-supported practices that meet the applicable criteria specified for the practices in section 471(e)(4)(C), without regard to whether the expenditures are incurred on behalf of children who are, or are potentially, eligible for foster care maintenance payments under this part.

(b)(1) The Secretary shall, prior to the beginning of each quarter, estimate the amount to which a State will be entitled under subsections (a) for such quarter, such estimates to be based on (A) a report filed by the State containing its estimate of the total sum to be expended in such quarter in accordance with subsection (a), and stating the amount appropriated or made available by the State and its political subdivisions for such expenditures in such quarter, and if such amount is less than the State's proportionate share of the total sum of such estimated expenditures, the source or sources from which the difference is expected to be derived, (B) records showing the number of children in the State receiving as-

sistance under this part, and (C) such other investigation as the Secretary may find necessary.

(2) The Secretary shall then pay to the State, in such installments as he may determine, the amounts so estimated, reduced or increased to the extent of any overpayment or underpayment which the Secretary determines was made under this section to such State for any prior quarter and with respect to which adjustment has not already been made under this subsection.

(3) The pro rata share to which the United States is equitably entitled, as determined by the Secretary, of the net amount recovered during any quarter by the State or any political subdivision thereof with respect to foster care and adoption assistance furnished under the State plan shall be considered an overpayment to be adjusted under this subsection.

(4)(A) Within 60 days after receipt of a State claim for expenditures pursuant to subsection (a), the Secretary shall allow, disallow, or defer such claim.

(B) Within 15 days after a decision to defer such a State claim, the Secretary shall notify the State of the reasons for the deferral and of the additional information necessary to determine the allowability of the claim.

(C) Within 90 days after receiving such necessary information (in readily reviewable form), the Secretary shall—

(i) disallow the claim, if able to complete the review and determine that the claim is not allowable, or

(ii) in any other case, allow the claim, subject to disallowance (as necessary)—

(I) upon completion of the review, if it is determined that the claim is not allowable; or

(II) on the basis of findings of an audit or financial management review.

(c) AUTOMATED DATA COLLECTION EXPENDITURES.—The Secretary shall treat as necessary for the proper and efficient administration of the State plan all expenditures of a State necessary in order for the State to plan, design, develop, install, and operate data collection and information retrieval systems described in subsection (a)(3)(C), without regard to whether the systems may be used with respect to foster or adoptive children other than those on behalf of whom foster care maintenance payments or adoption assistance payments may be made under this part.

(d)(1) If, during any quarter of a fiscal year, a State's program operated under this part is found, as a result of a review conducted under section 1123A, or otherwise, to have violated paragraph (18) or (23) of section 471(a) with respect to a person or to have failed to implement a corrective action plan within a period of time not to exceed 6 months with respect to such violation, then, notwithstanding subsection (a) of this section and any regulations promulgated under section 1123A(b)(3), the Secretary shall reduce the amount otherwise payable to the State under this part, for that fiscal year quarter and for any subsequent quarter of such fiscal year, until the State program is found, as a result of a subsequent review under section 1123A, to have implemented a corrective action plan with respect to such violation, by—

(A) 2 percent of such otherwise payable amount, in the case of the 1st such finding for the fiscal year with respect to the State;

(B) 3 percent of such otherwise payable amount, in the case of the 2nd such finding for the fiscal year with respect to the State; or

(C) 5 percent of such otherwise payable amount, in the case of the 3rd or subsequent such finding for the fiscal year with respect to the State.

In imposing the penalties described in this paragraph, the Secretary shall not reduce any fiscal year payment to a State by more than 5 percent.

(2) Any other entity which is in a State that receives funds under this part and which violates paragraph (18) or (23) of section 471(a) during a fiscal year quarter with respect to any person shall remit to the Secretary all funds that were paid by the State to the entity during the quarter from such funds.

(3)(A) Any individual who is aggrieved by a violation of section 471(a)(18) by a State or other entity may bring an action seeking relief from the State or other entity in any United States district court.

(B) An action under this paragraph may not be brought more than 2 years after the date the alleged violation occurred.

(4) This subsection shall not be construed to affect the application of the Indian Child Welfare Act of 1978.

(e) DISCRETIONARY GRANTS FOR EDUCATIONAL AND TRAINING VOUCHERS FOR YOUTHS AGING OUT OF FOSTER CARE.—From amounts appropriated pursuant to section 477(h)(2), the Secretary may make a grant to a State with a plan approved under this part, for a calendar quarter, in an amount equal to the lesser of—

(1) 80 percent of the amounts expended by the State during the quarter to carry out programs for the purposes described in section 477(a)(6); or

(2) the amount, if any, allotted to the State under section 477(c)(3) for the fiscal year in which the quarter occurs, reduced by the total of the amounts payable to the State under this subsection for such purposes for all prior quarters in the fiscal year.

(f)(1) If the Secretary finds that a State has failed to submit to the Secretary data, as required by regulation, for the data collection system implemented under section 479, the Secretary shall, within 30 days after the date by which the data was due to be so submitted, notify the State of the failure and that payments to the State under this part will be reduced if the State fails to submit the data, as so required, within 6 months after the date the data was originally due to be so submitted.

(2) If the Secretary finds that the State has failed to submit the data, as so required, by the end of the 6-month period referred to in paragraph (1) of this subsection, then, notwithstanding subsection (a) of this section and any regulations promulgated under section 1123A(b)(3), the Secretary shall reduce the amounts otherwise payable to the State under this part, for each quarter ending in the 6-month period (and each quarter ending in each subsequent consecutively occurring 6-month period until the Secretary finds that the State has submitted the data, as so required), by—

(A) $\frac{1}{6}$ of 1 percent of the total amount expended by the State for administration of foster care activities under the State plan approved under this part in the quarter so ending, in the case of the 1st 6-month period during which the failure continues; or

(B) $\frac{1}{4}$ of 1 percent of the total amount so expended, in the case of the 2nd or any subsequent such 6-month period.

(g) For purposes of this part, after the termination of a demonstration project relating to guardianship conducted by a State under section 1130, the expenditures of the State for the provision, to children who, as of September 30, 2008, were receiving assistance or services under the project, of the same assistance and services under the same terms and conditions that applied during the conduct of the project, are deemed to be expenditures under the State plan approved under this part.

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